XIIIA
30

Report on the Admn. of Civil Justice in the Punjab And its Dep..
1880

Sub.. Judicial Admn. | Civil Justice | Report Punjab

WEST BENGAL SECRETARIAT LIBRARY

Lahore
1880

ever, accounts for more than half the decrease in the district. Dera Ghází Khan showed an exceptional increase of 32 per cent. last year, and the falling-off this year is only a return towards the normal number of cases.

B.—Disposal of Original Suits.

11. Imperial Return No. 8 (Appendix) shows the general result of original civil litigation for the year.

Suits for disposal.

12. Including cases pending from 1879, re-admitted and received by transfer, there were 280,276 cases for disposal, or 4·6 per cent. more than in the previous year.

Suits disposed of.

13. Of these, 263,877, representing 94·1 per cent., were disposed of, leaving 16,399 pending at the close of the year. The pending file was, thus, only increased by 1,602, although there were 12,389 more cases to be disposed of and the number of Courts remained the same.

Details of disposals.

14. The details of disposals were as follows:—

31 per cent. without decree.

38 per cent. with decree but without contest.

22 per cent. after contest, by decree, for plaintiff in whole or part.

8 per cent. after contest, by decree, in favor of defendant.

As compared with the previous year, the cases decided without decree have increased by 1 per cent., and those with decree but without contest have fallen off to the same extent. Cases decided after contest in favor of plaintiff show a decrease of 1 per cent., and those similarly decided in favor of defendant have increased in like ratio.

Percentage of contested cases.

15. The following table shows the districts in which the percentage of contested cases was greatly above the provincial average:—

Pesháwar, Hazára	... 44	per cent.	Kángra	... 38	per cent.
Bannu	... 43	„	Sirsa	... 36	„
Amritsar	... 39	„	Siálkot, Rawalpindi, Jhelum	... 35	„
Kohát	... 38	„			

The list was headed last year by Pesháwar with 46 per cent. and in 1878 with 49.

The percentages are lowest (19) in Gurgaon and Hissár, (20) in Karnál and (22) in Muzaffargarh.

Further details.

16. Comparative details of disposal for each District during 1880 and 1879 will be found in the following statement:—

1	2		3		4		5		6		7		8		9		10		11		12	
	PERCENTAGE OF CASES.																		AVERAGE DURATION			
DISTRICT.	Dismissed on default.		Withdrawn with leave Sec. 373 Act X of 1877.		Decided *ex-parte*.		Decided by confession.		By compromise including adjustment under Sec. 375 Act X of 1877.		Referred to arbitration.		Contested and decided in favor of plaintiff.		Contested and decided in favor of defendant.		Percentage of contested cases decided in favor of plaintiff to the number contested.		In contested cases.		In uncontested cases.	
	1879.	1880.	1879.	1880.	1879.	1880.	1879.	1880.	1879.	1880.	1879.	1880.	1879.	1880.	1879.	1880.	1879.	1880.	1879	1880.	1879.	1880.
Delhi ...	8	8	·4	·6	9	8	28	28	26	26	1	1	20	21	8	8	71	71	28	25	13	14
Gurgaon ...	15	19	·1	·2	9	7	22	18	32	36	2	1	14	14	7	5	66	71	27	24	12	17
Karnál ...	23	21	·6	1	8	8	22	20	26	28	2	2	14	14	6	6	71	70	32	29	21	19
Hissar ...	12	13	1	1	9	9	25	24	34	32	1	1	12	12	7	7	65	64	24	23	14	13
Rohtak ...	10	9	1	1	7	5	22	22	31	31	1	·6	22	21	7	10	75	68	36	45	19	23
Sirsa ...	18	17	1	2	5	8	12	14	23	23	2	3	19	20	22	16	46	55	27	25	18	16
Umballa ...	13	14	1	1	10	8	15	10	29	34	1	1	23	23	9	9	74	72	20	24	10	14
Ludhiána ...	12	13	1	1	5	4	18	17	29	30	1	·5	24	22	11	12	71	64	26	27	16	19
Simla ...	9	10	3	3	28	24	19	21	9	11	1	2	23	22	9	7	71	76	23	22	18	19
Jullundar ...	15	15	2	1	10	10	18	15	24	27	1	·9	23	24	8	7	75	78	34	30	18	20
Hoshiárpur ...	23	21	·2	·5	11	9	24	23	14	16	1	·5	21	23	7	7	75	75	42	33	24	22
Kángra ...	14	17	1	·5	8	7	25	24	13	13	1	1	29	27	10	11	74	75	26	23	16	17
Amritsar ...	18	19	1	1	8	9	24	22	17	18	1	·8	24	22	8	8	75	73	32	34	18	20
Gurdáspur ...	21	21	·4	·2	10	9	9	9	26	29	2	2	27	25	6	6	80	80	36	38	27	26
Siálkot ...	22	19	·3	·4	9	9	19	19	15	17	1	2	26	26	8	9	76	75	27	32	19	23
Lahore ...	15	15	·6	·9	12	11	17	20	24	24	1	1	22	20	9	9	70	70	18	20	11	14
Gujránwála ...	16	21	·5	·2	11	10	18	16	24	24	2	1	22	20	8	8	72	72	28	29	20	17
Ferozepore ...	17	18	1	·8	8	9	26	19	18	19	1	1	20	22	10	12	67	64	23	29	15	18
Rawalpindi ...	17	18	7	·8	11	10	13	11	19	25	2	1	28	24	11	11	71	68	28	29	20	21
Jhelum ...	14	20	2	2	7	7	13	13	24	23	2	3	27	22	13	13	63	63	27	30	29	23
Gujrát ...	22	19	·3	1	7	7	13	14	30	25	2	2	19	23	9	11	68	68	43	34	29	23
Shahpur ...	15	17	1	·8	9	10	18	20	31	24	3	2	19	20	7	8	72	70	33	41	21	25
Mooltan ...	22	26	2	2	8	7	27	23	12	13	1	1	17	18	12	10	59	66	28	25	13	16
Jhang ...	22	21	·4	·5	11	13	12	9	35	33	1	·9	13	14	6	8	66	64	39	49	22	29
Montgomery ...	19	14	1	·9	11	13	8	8	30	31	2	·8	21	25	10	8	68	75	30	27	19	18
Muzaffargarh ...	19	17	1	1	8	5	20	21	29	33	·4	·8	19	17	4	5	83	76	25	32	18	18
Dera Ismail Khan ...	15	14	4	4	9	10	13	8	31	34	1	2	21	23	7	7	75	77	21	23	16	16
D. G. Khan ...	11	13	1	1	9	9	18	17	29	30	1	1	27	24	5	5	84	83	19	22	14	14
Bannu ...	11	12	4	4	8	8	12	11	21	21	5	6	32	29	12	14	72	67	34	42	27	33
Peshawar ...	16	19	1	2	10	8	12	10	15	17	·2	2	30	28	16	16	65	64	24	28	17	17
Hazára ...	17	19	3	2	7	5	18	18	13	11	5	4	31	30	11	14	73	69	13	13	9	7
Kohát ...	18	17	2	3	16	12	18	14	19	16	1	3	21	27	6	11	78	72	32	26	18	25
Total ...	17	17	1	1	10	9	18	17	23	24	1·5	1·5	23	22	8	9	73	71	29	30	18	19

17. Seventeen per cent. of cases were dismissed on default, as in 1879. In one-fifth of these, applications for readmission were presented, 4 out of every 5 of which were admitted.

Cases dismissed in default.

The number rejected represents 6 out of every thousand cases decided, and in respect of one-fifth of such cases new suits were instituted. The percentage of cases dismissed on default is highest in Mooltan (26), where there has been an increase of 4 per cent. as compared with 1879. The Deputy Commissioner points out that in only 9 per cent. of such cases were applications for restoration filed, which were admitted in 85 per cent. of instances.

Karnál.	Gurdáspur.
Hoshiárpur.	Gujránwála.

In only 4 other Districts (noted in the margin) did the average reach 21 per cent.

In Gujránwála the proportion has risen 5 per cent. from 16 and in Jhelum 6 per cent. from 14 to 20. The increase in the latter District is referred by the Deputy Commissioner to frequent changes in the judicial staff.

The proportion is again lowest (10 and under) in the Districts of Delhi, Rohtak and Simla.

18. Applications for restoration were relatively most numerous in the Districts of Ludhiána, Pesháwar, Simla and Jhelum. Such applications were freely admitted in most Districts throughout the Province, Kohát being the only one in which as many as a third were rejected.

Applications for restoration.

19. Decrees *ex-parte* have fallen from 10 to 9 per cent., at which latter figure they stood in 1878. Simla is again conspicuous with an average of 24 per cent., that being, however, 4 less than in 1879. As remarked in last year's report, the local circumstances of the Simla District are entirely exceptional, and such a result is only to be expected. In Kohát the proportion which was remarked upon as high last year has gone back from 16 to 12. The other cases of increase and decrease are unimportant. Such decrees were fewest in Ludhiána, 4 per cent., and in Rohtak, Muzaffargarh and Hazára, 5 each.

Decrees *ex-parte*.

Applications were made to set aside *ex-parte* decrees in 10 per cent. of cases, and 64 per cent. of such applications were successful.

20. 3,827 cases, representing 1·5 per cent. of the total litigation of the year, were referred to arbitration, and 3,676 awards were made. Judgment followed the award in all but 14 cases in which it was set aside under Section 521 of Act X of 1877. Of these latter, 9 were in the Ludhiána District, 7 out of the 9 being in the Courts of Munsiffs.

References to arbitration.

Bannu and Hazára are again the Districts in which references were most frequent (6 and 4 per cent. respectively). Possibly references to the "*shariat*," which are not strictly speaking references to arbitration, may be included in the figures of these two Districts. Enquiry will be made upon the point from the Deputy Commissioners. In three other Districts—Sirsa, Jhelum and Kohát—the proportion was 3 per cent. In eight Districts it fell below 1 per cent.

21. Of the 16,399 cases pending at the close of the year, 1,125, or 7 per cent, were of more than 2, and 284, or 1·7 per cent., of more than 4 months' duration. These percentages are slightly above the corresponding figures for 1879, which were 6 and 1 per cent. The increase in the number of cases for disposal is a sufficient explanation of this surplus.

Pending cases

The Bannu District had the largest pending file in proportion to cases for disposal. Of the pending cases, as many as 30 per cent. were of over 2 months' duration. As no report has been received from this District, the Judges are at a loss to explain these figures. The state of the Bannu files attracted the attention of the Judges during the year upon an inspection of the monthly and quarterly returns, and, after some correspondence, the services of an extra Munsiff, transferred from the Shahpur District, were made available from 1st October.

Shahpur stands second to Bannu as regards the pending file. The increase there is due, no doubt, to a great extent, to the transfer of a Munsiff as noted above, coupled with an excess of institutions as compared with previous years.

Pending over two months.

22. The number of cases pending over two months was high in Gurdáspur; the explanation given is "census work."

Pending over four months.

23. In 15 Districts there were no cases pending over 4 months. Of the others, Lahore, Ludhiána and Jhelum make up more than half the total, contributing 76, 50 and 25, respectively. Of the Lahore cases, 11 were kept pending in the Small Cause Court under the provisions of Section 99 A of the Code of Civil Procedure; 49 belonged to the Court of Mehndi Khan, Extra Assistant Commissioner, whose time was much taken up towards the end of the year in connection with the Viceregal Darbar and the preliminary operations of the census.

Of the 50 cases in Ludhiána 47 were pending in the Court of the Judicial Assistant. This officer went on 3 months' leave without a successor being appointed, and his cases, although for the most part of small value or amount, were allowed to lie over instead of being sent to other competent Courts for decision.

Oldest pending case.

24. The oldest pending case was in the Court of the Deputy Commissioner of Kohát, and was instituted on 19th December 1878. The Commissioner of Peshávar remarks about it that "there seems to be no immediate prospect of its being disposed of, although an award has been given by arbitrators." Three cases of 1879 were pending at the close of 1880, one in each of the Districts of Ludhiána, Amritsar and Bannu. As regards the two former, satisfactory explanations have been, in each case, submitted.

Average duration of contested and uncontested cases.

25. The average duration of cases contested and uncontested was 30 and 19 days, respectively, or one day more in each than in 1879. In contested cases the average was highest in Jhang, 49 days; in Rohtak, 45; in Bannu, 42; and in Shahpur, 41 days; in Hazára the average was 13 days; in no other District did it fall below 20.

In Jhang it is explained that the trial of land suits was transferred from the Settlement to the District Courts, and the District staff was weak. This is the same explanation that was given in 1879, when the average had risen to 39, and it can hardly be said to be satisfactory.

The Deputy Commissioner of Rohtak explains that the average of his District has been raised by the long duration of cases in the Court of Mr. King, Assistant Commissioner (71 days); that officer disposed of a great deal of civil work, including a large number of cases involving intricate questions of occupancy rights.

The Deputy Commissioner of Shahpur's explanation is that embodied in para. 21 of this report.

Average number of appearances.

26. The average number of attendances required of the parties, or either or any of them, varied from 2 in 13 Districts to 4 in the 3 Districts of Ludhiána, Dera Ghází Khan and Bannu, and stood at 3 for the whole Province as in the two previous years.

Plaints rejected or returned.

27. The Districts in which most plaints were returned were Hoshiárpur 734, Umballa 488, and Gujránwála 447. The total number exceeds that of 1879 by 1,101.

C.—Miscellaneous Cases.

Miscellaneous cases disposed of.

28. Excluding applications for execution of decrees and connected cases, which will be treated separately (Part 1 G), 57,459 miscellaneous cases were disposed of, as against 51,505 in 1879.

The cases most worthy of notice under the present head are applications under Act XXVII of 1860, for collection of debts on successions; under Acts XL of 1858 and IX of 1861, for custody of persons and estates of minors; under Sections 7 and 8 of Regulation XVII of 1806, for foreclosure and redemption of mortgages; under Section 344 of Act X of 1877, for declaration of insolvency; under Section 403, for permission to sue *in formâ pauperis*; and under Section 623, for review of judgment.

29. Applications under Act XXVII of 1860, which had increased in 1879, show a decrease of 189 this year. This decrease is most conspicuous in the Districts in which such applications had been most numerous, Umballa having gone down from 140 to 85, and Lahore from 175 to 100. In Umballa the decrease is due to a clearer apprehension on the part of the Courts of the saving clause attached to Section 2 of the Act, to which their attention was specially drawn by the Deputy Commissioner. In Lahore there had been an increase in 1879, which has rather more than disappeared this year. In Rohtak these cases have increased from 26 to 87; the fluctuations elsewhere are unimportant.

Decrease in applications under Act XXVII of 1860.

30. Applications under Acts XL of 1858 and IX of 1861, which had doubled in 1879, show a further increase of 34, or 14 per cent., in the year under report.

Applications under Acts XL of 1858 and IX of 1861.

31. Cases under Regulation XVII of 1806 have again largely increased. The figures for the last five years are given below:—

Applications under Sections 7 and 8 of Regulation XVII of 1806.

1876	...	...	...	...	171
1877	...	...	...	...	339
1878	...	...	...	...	386
1879	...	...	...	...	540
1880	...	...	...	...	810

The Rohtak District alone accounts for 124 out of the total increase of 270. The applications in that District, which were 1 in 1878, rose to 26 in 1879 and to 150 in the year under report.

32. Petitions under Section 344 of the Civil Procedure Code for declaration of insolvency, which had fallen from 712 in 1878 to 379 in 1879, underwent a further decrease to 205 in 1880. In the Lahore District, which supplied 251 of these cases in 1879, or two-thirds of the whole number, there were only 23 such applications this year—nearly all in the Small Cause Court. The Deputy Commissioner thinks there is some mistake in the returns submitted by him. Further enquiry will be made on the point.

Petitions for declaration of insolvency.

33. Applications for permission to sue *in formâ pauperis* again show a slight decrease, being 56 less than in 1879.

Applications for permission to sue *in formâ pauperis.*

Ludhiána still heads the list with 138 cases. The number of suits of this kind in the Ludhiána District was noticed by His Honor the Lieutenant-Governor in the remarks of Government upon last year's report, and an explanation was called for. This was submitted by my predecessor with his No. 640 of 24th February 1881. The Judges are glad to see the falling-off of 84 in the year under report. Of the 138 applications, 100 were disposed of on the merits, 49 being admitted and 51 rejected. Siálkot shows a considerable decrease, from 139 to 101; whereas Lahore has more than doubled (67 to 136). The number in 1878 was however 118, so that the increase this year is not so remarkable as at first sight it would appear.

34. Petitions for review of judgment rose from 2,195 to 2,491, which is more than proportional to the increase in cases decided. They were most numerous, 333, and the increase, 105, was most marked, in Siálkot. 59 per cent were admitted, 26 rejected on the merits and 15 went by default. The corresponding proportions in 1879 were 60, 31 and 9. Of those admitted, the original order was affirmed in 53 per cent., and modified or reversed in 47 per cent. of instances. The proportions in the previous year were 54 and 46.

Petitions for review of judgment.

35. References from other Districts increased by 2 per cent. and miscellaneous petitions not classified by 20 per cent. (25,972 to 31,348), as compared with the previous year.

References from other Districts.

D.—Classification of Suits.

36. Imperial Return No. 6 classifies suits in the manner required by the Government of India.

Further details are given in the following comparative statement:—

	1877.	1878.	1879.	1880.
Suits for money due on registered bonds	8,528	8,014	6,145	5,806
Do. do. unregistered bonds	73,485	78,531	81,962	90,207
Do. do. otherwise than on bonds	99,719	102,928	98,546	95,924
Do. for breaches of contract	1,689	2,162	3,047	2,393
Do. for rent other than of land	2,636	2,800	3,125	3,467
Do. for damages	2,288	2,130	1,837	1,705
Do. for recovery of personal property or value thereof	13,220	14,898	14,200	14,485
Do. relating to marriage, dower and divorce	3,572	2,969	3,144	4,387
Do. do. to inheritance	3,488	2,594	4,386	4,793
Do. do. to revenue	6,622	6,853	3,949	3,850
Do. do. to mortgages of immovable property	2,966	3,546	3,516	4,187
Do. for partition of immovable property	907	806	537	378
Rent suits not under the Punjab Tenancy Act	4,734	5,263	6,333	6,755
Suits under the Punjab Tenancy Act. — To establish or contest rights of occupancy (Sections 5, 6 and 8)	712	456	588	1,018
Suits under the Punjab Tenancy Act. — Connected with rent (Sections 10, 11, 14, 15 and 18)	372	531	480	894
Suits under the Punjab Tenancy Act. — Connected with ejectment (Sections 19, 20, 25 and 26)	928	658	1,169	1,099
Other suits	10,379	8,126	12,138	13,744
TOTAL ...	236,245	243,265	245,102	255,092

The figures for 1879 differ in some instances from those given in the printed report for that year, the enquiries mentioned in para. 31 having brought to light errors of classification which required rectification.

New system of classification.

37. The new system of classification has now been in force for two years, and the instructions contained in para. 20 of the Chief Court's circular memo. 19 of 1878 are said to be complied with in most Districts. In some of the more important Districts, however, such as Hoshiárpur, Amritsar, Siálkot and Lahore, laxity is admitted, and improvement promised for the future.

Suits on registered bonds.

38. The falling-off in suits on registered bonds, which amounted to nearly a half between 1876 and 1879, has been specially commented upon in all recent reports. This year there is a further decrease to record, which is, however, very slight, no more than a half per cent., and would not be of any importance were it not looked at alongside of an increase of 10 per cent. in suits on bonds unregistered.

The District figures show some strange fluctuations in the number of these suits. Thus Lahore and Amritsar have increased by more than 50, Ludhiána by more than 40, and Delhi by more than 30 per cent. Umballa, on the other hand, has fallen off by 40, Pesháwar by 38, and Ferozepore by 25 per cent.

In the densely-inhabited but purely agricultural Districts of Jullundur, Hoshiárpur, Gurdáspur and Siálkot the number of such suits has been remarkably constant, as will appear from the annexed table:—

	1879.	1880.
Jullundur	393	403
Hoshiárpur	362	399
Gurdáspur	155	161
Siálkot	379	379

Suits on unregistered bonds, unwritten obligations and on account stated.

39. Suits on unregistered bonds have increased by 10 per cent., while those on unwritten obligations and on account stated have fallen off by nearly 3. It is convenient to take these two latter together for comparison, as some Districts still find difficulty in distinguishing between them.

In none of the more important Districts is the increase in suits on unregistered bonds much above the average for the Province. In Hazára and Kohát they have more than doubled; in Shahpur they have increased by 80 per cent., in Jhelum by 44, and in Gujrat, Mooltan and Jhang by more than 20 per cent. each.

Suits for the recovery of personal property.

40. Suits for the recovery of personal property or the value thereof have gone up two per cent. The detailed figures do not require comment, except those of Siálkot, where an increase from 95 to 621 clearly points to an error of classification last year.

Suits relating to marriage and cognate subjects.

41. In suits relating to betrothal, marriage, dower and divorce there was a large increase of 36 per cent. from 3,144 to 4,387. In the Rawalpindi Division alone there were 1,290 of these cases, or 77 per cent. more than in 1879. In the Amritsar Division there were 697 as against 452 in the previous year. In the 3 Districts of the Delhi Division such suits only amounted to 48, which was also the number in 1879. The Jullundur District does not show a single suit for enforcement of matrimonial rights. This is apparently a mistake in classification, as there were 28 such suits in 1879. The enormous increase in Rawalpindi is not explained by the Commissioner.

Suits for the possession or recovery of immovable property founded on inheritance.

42. Under the heading of suits for the possession or recovery of immovable property founded on inheritance, the returns again show some extraordinary results; thus, in Siálkot such suits have more than trebled; in the Ferozepore District there were 707 cases, while in Lahore there were only 96, in Mooltan 26, and in Delhi 25.

Pre-emption suits.

43. Pre-emption suits have increased by nearly half, from 1,545 to 2,287. They have trebled in Kohát and Jhang; doubled or more than doubled in Delhi, Ludhiána, Hoshiárpur, Jhelum, Montgomery, Bannu and Hazára:—Muzaffargarh shows 12 cases against none last year. All these Districts are, or were until recently, under settlement.

Suits for immovable property.

44. Grouping all classes of suits for immovable property together, there has been an increase of 2,185 cases from 15,118 to 17,303. Suits on mortgages have increased from 3,516 to 4,187.

Suits under the Punjab Tenancy Act.

45. Suits under the Tenancy Act are shown to have increased from 2,120 to 3,011, or 42 per cent. The number of cases of this kind tried by District Courts fluctuates with alterations in Settlement arrangements, and no general deductions can be drawn from the figures.

Suits by bankers, &c., against agriculturists.

46. The number of suits brought by bankers or shopkeepers against agriculturists, which was shown last year as having fallen 3 per cent., has undergone a further fall of 3 per cent. during the year under report, and now stands at 42 per cent. of the total litigation of the Province.

The following table shows the fluctuations in this class of suits for the past five years:—

Year.	Number of Suits.	Percentage on previous years.	
		Increase.	Decrease.
1876	101,272	11	
1877	115,778	14	
1878	116,717	0·8	
1879	111,444	...	3
1880	108,116	...	3

E.—Value and cost of suits.

47. The subjoined table is an amplification of Imperial Return No. 7. Cases re-admitted and received by transfer are excluded from both statements:—

Valuation of suits.		Suits relating to proprietary right in or occupancy of land assessed or subject to settlement.						Other Suits.						
		Number of suits.	Aggregate value of suits.	Aggregate cost of suits.	Average value of suits.	Average cost of suits.	Percentage of costs to value.	Number of suits.	Aggregate value of suits.	Aggregate cost of suits.	Average value of suits.	Average cost of suits.	Percentage of costs to value.
Not exceeding Rs.	5	4,860	16,158	7,429	3 5 2	1 8 6	46	25,024	94,226	23,620	3 12 3	... 15 1	25
Do. „	20	7,832	1,04,154	18,847	13 3 9	2 6 2	18	81,196	9,79,087	1,49,452	12 9 0	1 13 5	15
Do. „	100	9,050	4,36,083	54,179	48 1 2	5 15 7	12	93,549	40,49,115	4,97,631	43 4 6	5 5 1	12
Do. „	500	3,183	5,88,919	62,829	185 0 4	19 11 10	11	23,992	43,52,083	4,23,112	181 6 5	17 10 2	10
Do. „	1,000	301	2,09,429	19,723	695 12 5	65 7 11	9	1,453	9,99,069	92,831	687 9 5	63 14 3	9
Do.	5,000	116	2,08,235	18,598	1,795 2 1	160 5 3	9	595	11,01,048	1,05,569	1,850 8 0	177 6 10	9
Do.	10,000	5	35,920	1,855	7,184 0 0	371 0 0	5	40	2,49,021	16,148	6,225 8 5	403 11 2	6
Do.	1,00,000	3	58,165	6,543	19,541 4 0	1,135 12 0	6	24	6,31,423	25,162	26,309 4 8	1,048 6 8	4
Exceeding „	1,00,000	1	4,15,025	5,629	4,15,025 0 0	5,629 0 0	1	2	3,40,000	3,627	1,70,000 0 0	1,813 8 6	1
Total	1880	25,411	20,91,388	1,93,652	82 4 10	7 9 11	9	2,25,875	1,27,95,072	13,37,152	56 10 4	5 14 8	10
	1879	22,846	14,36,725	1,56,233	63 7 1	6 14 4	11	2,19,621	1,17,37,110	11,58,065	53 7 1	5 4 4	10
Suits of which the value cannot be fixed	1880	1,204	...	18,585	... ...	15 6 11	...	2,600	...	27,942	... ...	10 11 11	...
	1879	862	...	12,262	... ...	15 4 7	...	2,033	...	23,626	... ...	11 9 11	...
Grand Total ...	1880	26,615	20,91,388	2,12,237	... ...	7 15 7	...	2,28,475	1,27,95,072	13,65,094	... ...	5 15 7	...
	1879	23,448	14,36,725	1,68,495	... ...	7 3 0	...	2,21,654	1,17,37,110	11,81,691	... ...	5 5 3	...

48. Land suits have increased by 13 per cent. in numbers and 45 per cent. in aggregate value; the latter result is, however, entirely due to one case valued at close on 4½ lakhs, against the Nawáb of Karnál, tried in

Land and other suits.

that District. Other suits have increased 3 per cent. in numbers and 9 per cent. in aggregate value. The percentage of costs to value in land suits has been sensibly diminished by the Karnál case noted above.

F.—Agency for disposal of Suits.

49. The subjoined comparative statement shows in greater detail than Imperial Return No. 8 the distribution of work among the different classes of Courts. The number of Courts of each class has been added in compliance with the wishes of His Honor the Lieutenant Governor, conveyed in para. 7 of the Government remarks on last year's report :—

No. of Officers.	Officers.	*Original cases decided.*				Average number of cases decided by officers of each grade.		
		Number in 1880.	Percentage.					
			1878.	1879.	1880.	1878.	1879.	1880.
32	Deputy Commissioners	106	·1	·1	...	5	5	3
13	Judicial Assistants (Europeans) ...	1,887	·7	·8	[illegible]	112	130	145
[illegible]	Do. (Natives)	3,462	·9	1·1	[illegible]	373	457	385
30	Assistant Commissioners	8,120	3·1	3·3	3·1	231	288	271
15	Extra Asst. Commissioners (Europeans)	3 696	1·0	1·1	1·4	250	178	246
68	Do. (Natives) ..	30,360	10 1	11 2	11 5	310	401	446
122	Tahsíldárs	30,489	12·1	11·2	11·6	276	230	250
31	Naib Tahsíldárs	5,727	3·5	2·5	2·2	243	182	185
74	Munsiffs	149 805	54·3	56·0	56 8	1,839	1,916	2,024
44	Honorary Civil Judges	12,200	4·9	5·4	4·6	223	228	277
4	Judges of Dist. Small Cause Courts ...	12,467	5·8	4·7	4 7	3,623	3,020	3,117
8	Do. Cant. do. ...	5,556	3·5	2·6	2·1	1,079	841	694
	Total ...	263,875	...	...	...	...	...	...

50. European Judicial Assistants disposed, on the average, of 145 cases each, as against 130 in 1879 and 112 in 1878. The percentage decided by them was smaller, there being only 13 employed as against 16 in 1879. Native Judicial Assistants each disposed of 72 cases less than the year before.

Disposals by European and Native Judicial Assistants.

51. Tahsíldárs disposed on the average of 250 cases, which is well within the limit of 30 cases a month prescribed for such Courts. The Judges are particularly careful that the orders of Government in this respect are not overlooked by District officers.

Disposals by Tahsíldárs.

In only 10 Tahsíl Courts in the Province did the number of cases tried by the Tahsíldár exceed 400. They are—

Miánwáli	650	Hansi	466
Isa Khel	620	Nawashahr	449
Tallagang	620	Chakwal	447
Murree	519	Hamirpur	437
Phillour	475	Bhawáni	428

To meet the case of Miánwáli and Isa Khel a special Munsiff was sent to the former place from 1st October and the Munsiff of Bannu was ordered to go on circuit. The large number in Tallagang and Chakwal is due to the isolated position of those places where there are no Munsiffs' Courts. The Munsiff at Pind Dadan Khan is lightly worked, and it will be considered whether he could not give some assistance to the Tahsíldárs of Tallagang and Chakwal. Murree is of course exceptional. In Phillour and Nawashahr the Munsiffs were unable to keep pace with the work, although they decided 2,693 and 2,247 cases, respectively. The Commissioner of Jullundur does not think these Tahsíldárs or the Tahsíldár of Hamirpur were overworked. In Hansi and Bhawáni there are no Munsiffs, and the average was slightly exceeded by the Tahsíldárs in consequence.

52. Munsiffs decided nearly 8,000 cases more than in 1879, being an increase of 108 for each Court. The average disposed of by each Munsiff exceeded 2,000 cases.

Disposals by Munsiffs.

The following Munsiffs decided over 2,600 cases each :—

Mooltan	 2,829	Phillour	 2,693
Siálkot	 2,822	Nakodar	 2,690
Rawalpindi	 2,760	Ludhiána	 2,653
Dasuya	 2,746	Amritsar	 2,624
Gurdáspur	 2,730	Tarn Táran	 2,619
Daska	 2,714	Jullundur	 2,605

53. The amount of work performed by Honorary Civil Judges fell off by 537 cases and was nearly the same as in 1878.

Honorary Courts.

G.—Execution of Decrees.

54. The annexed comparative statement by Districts supplies details regarding execution of decrees which are not to be found in Imperial Return No. 10 :—

1	2	3	4	5	6	7	8	9	10	11	12	13	14
											Amount realized		
DISTRICT.	Year.	Total number of applications for execution.	Completely executed.	Partially executed.	Struck off.	Transferred.	Total number disposed of.	Percentage of decrees completely executed to the number disposed of.	Average duration.	Value of money decrees put in execution.	Voluntarily.	After execution of coercive processes.	Percentage realized.
Delhi	1879	5,793	1,361	2,122	1,746	110	5,339	25	28	5,74,808	30,761	1,36,041	29
	1880	6,799	1,663	2,553	1,959	163	6,338	26	33	9,96,150	47,183	1,33,268	18
Gurgaon	1879	1,691	486	552	453	32	1,523	32	39	1,63,872	1,645	38,262	24
	1880	2,047	614	667	565	64	1,910	32	43	1,90,662	2,619	42,491	24
Karnál	1879	3,393	687	496	1,723	36	2,942	24	57	2,55,825	4,397	58,881	25
	1880	3,731	867	529	1,317	37	3,250	27	46	7,89,452	23,828	61,256	11
Hissar	1879	2,237	673	728	686	24	2,111	31	27	1,44,487	8,210	37,917	32
	1880	1,933	606	617	622	23	1,878	32	25	1,63,520	6,223	44,647	31
Rohtak	1879	3,871	1,724	1,712	381	45	3,862	36	40	2,05,987	9,694	48,844	28
	1880	4,188	1,282	1,850	586	41	3,759	34	39	2,08,952	13,845	53,358	32
Sirsa	1879	1,013	412	219	283	18	932	45	28	67,287	13,288	17,723	46
	1880	755	277	204	209	19	709	39	26	53,352	7,090	11,592	34
Umballa...	1879	8,904	2,918	2,814	2,162	...	7,894	37	19	4,49,780	13,325	2,31,064	54
	1880	8,437	2,422	2,566	2,253	...	7,341	32	42	4,51,759	12,880	1,85,371	44
Ludhiána	1879	7,576	2,052	3,289	1,295	...	6,627	31	28	3,18,072	14,963	1,01,980	37
	1880	8,349	2,351	3,617	1,454	...	7,424	32	35	4,33,089	22,771	1,03,668	29
Simla	1879	2,344	625	521	1,083	34	2,263	28	13	2,44,385	11,784	86,217	37
	1880	2,153	490	513	963	34	2,006	25	16	1,95,804	12,193	83,491	23
Jullundur	1879	12,202	3,694	2,797	2,894	...	9,385	39	33	10,38,404	15,055	2,26,658	23
	1880	15,837	4,423	4,070	5,308	...	13,801	32	58	10,58,728	17,432	2,53,854	26
Hoshiárpur	1879	12,712	3,464	2,632	4,096	...	10,192	34	64	7,74,812	5,830	2,40,917	32
	1880	14,268	4,006	3,538	4,830	...	12,374	32	60	10,23,266	6,857	2,12,767	21
Kángra	1879	4,655	1,861	1,141	972	...	3,974	47	36	1,33,816	15,324	44,680	32
	1880	4,425	1,478	1,460	1,143	...	4,081	36	37	2,20,869	11,719	48,563	27
Amritsar	1879	10,840	3,359	2,618	2,981	377	9,335	36	71	7,60,668	27,061	1,61,140	24
	1880	11,795	3,653	3,049	3,470	332	10,504	35	45	6,49,913	42,678	1,35,291	35
Gurdáspur	1879	9,677	3,429	3,204	899	63	7,595	45	46	5,83,593	6,783	1,56,787	28
	1880	10,513	3,292	3,329	2,374	45	8,940	37	158	5,53,486	4,908	1,54,938	29
Siálkot	1879	10,998	3,079	4,600	1,775	...	9,454	33	39	5,56,454	4,955	1,53,408	28
	1880	12,571	3,592	4,167	3,525	9	11,293	31	49	7,23,991	6,222	1,71,613	25

1	2	3	4	5	6	7	8	9	10	11	12	13	14
DISTRICT.	Year.	Total number of applications for execution.	Completely executed.	Partially executed.	Struck off.	Transferred.	Total number disposed of.	Percentage of decrees completely executed to the number disposed of.	Average duration.	Value of money decrees put in execution.	Amount realised. Voluntarily.	Amount realised. After execution of coercive processes.	Percentage realised.
Lahore	1879	12,406	3,313	4,837	2,937	279	11,366	29	27	4,20,170	42,381	1,35,722	42
	1880	12,306	3,618	4,088	2,870	455	11,031	33	27	3,80,747	47,054	1,29,607	46
Gujránwála	1879	7,303	2,070	2,098	2,296	5	6,469	32	48	3,66,901	25,573	83,676	29
	1880	7,576	2,140	1,934	2,778	2	6,854	31	42	5,11,810	69,180	1,15,182	36
Ferozepore	1879	5,525	1,801	1,362	1,744	38	4,945	36	54	2,73,252	11,996	98,996	41
	1880	5,862	1,919	1,811	1,581	..	5,311	36	27	3,76,981	20,367	88,089	29
Rawalpindi	1879	6,187	2,343	1,217	2,050	19	5,629	42	40	5,63,618	18,704	1,74,025	34
	1880	5,492	1,995	1,060	1,715	75	4,845	41	32	5,18,199	18,758	1,46,203	32
Jhelum	1879	2,466	1,050	532	665	16	2,263	46	34	1,72,278	14,173	46,857	35
	1880	2,386	828	413	817	1	2,059	40	36	2,66,260	12,507	45,031	22
Gujrát	1879	5,704	1,643	1,026	1,976	..	4,645	35	43	1,91,132	3,321	71,974	39
	1880	6,068	1,894	1,216	2,137	..	5,247	36	50	2,57,176	6,525	81,704	34
Shahpur	1879	2,712	830	550	1,052	..	2,432	34	50	1,09,845	18,311	24,375	39
	1880	3,299	929	825	1,062	..	2,816	33	31	1,54,865	22,860	35,316	37
Mooltan	1879	2,912	1,099	442	1,073	4	2,618	42	25	3,21,310	34,023	57,047	28
	1880	3,022	1,218	455	1,106	2	2,781	44	27	2,87,129	22,943	67,796	32
Jhang	1879	2,522	922	452	838	..	2,212	41	35	1,23,481	8,292	36,311	30
	1880	2,812	1,093	427	1,061	..	2,581	42	41	1,89,617	6,225	38,433	23
Montgomery	1879	1,819	706	379	632	..	1,717	41	42	1,76,931	12,101	37,509	28
	1880	1,702	721	359	510	..	1,590	45	27	1,67,117	2,225	44,549	28
Muzaffargarh ...	1879	2,372	1 146	347	706	9	2,208	52	35	99,368	8,080	44,953	53
	1880	2,498	942	400	935	9	2,286	41	38	1,07,988	5,665	39,995	42
Dera Ismail Khan	1879	2,282	818	416	829	..	2,063	39	31	1,41,052	12,157	37,797	35
	1880	2,475	957	386	937	..	2,280	42	32	1,60,172	35,177	47,624	52
Dera Ghází Khan ...	1879	3,098	1,727	318	728	..	2,773	62	24	1,24,735	16,358	39,930	45
	1880	3,265	1,772	327	889	..	2,988	59	24	1,63,933	21,562	44,277	40
Bannu	1879	2,091	1,226	265	358	..	1,849	66	40	89,855	10,850	42,643	59
	1880	2,053	1,151	235	397	..	1,783	65	41	98,470	14,520	40,384	56
Peshawar	1879	2,664	1,094	600	822	..	2,516	43	28	2,13,795	13,965	63,409	36
	1880	2,429	1,234	368	723	..	2,325	53	18	1,52,973	7,520	77,184	55
Hazára	1879	1,157	382	223	452	..	1,057	36	21	53,365	2,260	13,683	30
	1880	1,651	589	291	657	..	1,537	38	28	1,10,470	10,996	23,115	31
Kohát	1879	401	212	31	92	..	335	63	35	17,636	678	7,313	45
	1880	455	220	80	60	..	360	61	26	34,361	797	10,487	33
Total ...	1879	1,61,542	51,706	44,531	42,679	1,109	1,40,025	37	37	98,05,964	4,36,668	27,55,739	32
	1880	1,73,162	54,242	47,604	51,323	1,311	1,54,480	35	39	1,16,51,161	5,63,029	27,70,074	29

Disposals and details of disposal.

55. The number of applications for disposal exceeded that of 1879 by 11,610, or 7 per cent. 89 per cent. were disposed of during the year, as against 86·6 in 1879. More decrees were fully executed by 2,536 and partially executed by 3,073.

In spite of this increase the proportion of decrees wholly executed has fallen off from 37 to 35 per cent. and of partially executed decrees from 32 to 31 on account of the greater number of cases for disposal. The following are the figures for the two years :—

	1880.		1879.	
	Number.	Percentage.	Number.	Percentage.
Completely executed ...	54,242	35	51,706	37
Partially executed ...	47,604	31	44,531	32
Struck off without execution ...	51,323	33	42,679	30
Transferred ...	1,311	1	1,109	1

Decrees completely executed.

56. The highest percentage of decrees completely executed (65) was reached by Bannu, Kohát was next with 61, and Dera Gházi Khan third with 59 per cent. Pesháwar is the only other District with a percentage above 50, and it shows an improvement of 10 per cent. upon 1879 (43 to 53). Simla, Karnál and Delhi are low with 25, 26 and 27 per cent., respectively.

Amount in execution and proportion of realizations thereto.

57. Money decrees to the extent of Rs. 1,16,51,161 were put in execution during the year. This was 18 lakhs more than in 1879. The realizations amounted in the aggregate to Rs. 1,40,696 more, but the percentage that this gives is only 29 as against 33 last year.

Realizations were effected in the following proportions :—

	Percentage.	
	1880.	1879.
Paid in voluntarily	17	14
Realized by means of arrest and imprisonment ...	7	5
Attachment of movable or immovable property ...	62	63
Sale of do. do. ...	14	18

From this it appears that a much larger proportion was paid in voluntarily, and sales went back to the percentage of 1878.

The proportion of realizations was highest in Bannu, 56, Pesháwar 55 and Dera Ismail Khan 52 per cent. It was lowest in Karnál, 11 per cent.; but this result was entirely brought about by the fact that 5 decrees amounting to 4½ lakhs against the members of one family were put in execution and only Rs. 3,050 realized. It was also low in Delhi, 18 per cent., in Hoshiárpur 21 and in Jhelum 22, In Delhi there were some decrees for large amounts in execution, and in Hoshiárpur at least one which injuriously affected the averages.

The Districts which show the largest increase are Pesháwar 36 to 55, Dera Ismail Khan 35 to 52, Amritsar 24 to 35,

Sirsa	12	Jhang	13
Ferozepore	12	Karnál	14
Kohát	12	Simla	14

In the Districts noted in the margin there has been a falling-off of more than 11 per cent.

Book Circular II of 1878.

58. In Pesháwar the procedure recommended in Book Circular II of 1878 was followed with most satisfactory results. In Dera Ismail Khan, however, where it was not followed, the results are much the same. In Amritsar this procedure was adopted only partially. Only 6 Deputy Commissioners omitted to notice the working of this circular in their reports. Opinions again differ widely respecting it, and the results seem to justify this diversity. The matter is still an experiment, and the Judges will continue closely to watch its operation. The amount in execution was over 10 lakhs in each of the Districts of Jullundur and Hoshiárpur.

Decrees for immovable property.

59. 7,081 decrees for immovable property were put in execution, being 788 more than in the previous year.

Arrest and imprisonment.

60. 10,772 persons were arrested of whom no more than 990 were committed to the civil jails. The average detention was 32 days, or one day less than in 1879. Only 79 persons were detained over 3 months as against 103 in the previous year. 4 persons were detained the full period of 6 months.

Bankruptcy.

61. The new statements had not been introduced during the year, and bankruptcy proceedings could not be shown in the returns.

Attachment and sale of immovable property

62. Immovable property was attached in 10,732 instances as against 10,454 in 1879. Sales took place in 4,081 cases as against 3,857. Of these, 71, as against 83 in the previous year, were of hereditary or jointly acquired interests in land.

Attachment and sale of movable property.

63. Sales of movable property to the number of 22,973 followed the 100,438 attachments of such property effected.

Temporary alienations of land.

64. Temporary alienations under Sections 305 and 326 of the Code fell from 666 to 486. The number in 1878 was 406.

65. The average duration of execution cases was 36 days, the same as in 1878 and one day less than in 1879. It was highest, 66 days, in Gurdáspur, a district in which "each officer now executes his own decrees, the scheme of entrusting one officer at the Sadr with all the execution work" having "failed as reported last year." The quotation is from the Deputy Commissioner's report.

Average duration.

H.—WITNESSES.

Attendance of witnesses.

66. The attendance of witnesses in the Civil Courts during the past two years is exhibited in the following table:—

	1879.	1880.	Difference.
Number of witnesses who appeared voluntarily	118,387	126,281	+7,894
Number of witnesses for whose appearance summonses were issued ...	205,294	220,639	+15,345
Total ...	323,681	346,920	+23,239

The increase is nearly proportional in both cases, and follows the increase in litigation already commented upon.

67. Of the number summoned, 163,641, or nearly 79 per cent., received expenses averaging nine annas and four pies per head. The average last year was eight annas and six pies. It was highest, 15 annas 2 pies, in Jhelum, and in Lahore, 15 annas; lowest in Hazára, 5 annas 6 pies, where 3 annas 7 pies only were paid last year.

Payment of witnesses.

67. The average cost of each process is shown as having fallen from 5 annas 4 pies to 4 annas 11 pies. These figures, however, are misleading, the District returns clearly showing that the Court's instructions as to the filling up of the column, and the information that it is intended to convey, have been in some places misunderstood. Enquiry will be made on the subject.

Average cost of each process.

PART II.—SMALL CAUSE COURTS.

69. The following table shows the working of the 4 District Small Cause Courts during the year, with the totals of 1879 added in each column for comparison:—

Business Statement of District Small Cause Courts.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Number of cases on the file.										Average duration of each case.			
Court.	Pending from last year.	Instituted during 1880.	Readmitted under Sections 99 and 103 of Act X of 1877, or Section 21 of Act XI of 1865.	Total.	Disposed of without decree.	Decreed without contest.	Decreed with contest.	Grand total disposed of.	Pending at the end of the year.	Percentage of contested cases.	Contested.	Uncontested.	Cases in column 3 brought by bankers and shopkeepers against agriculturists.	Number of cases in column 9 in which the defendant resided without Municipal limits.
Delhi	51	2,778	26	2,855	553	1,818	820	2,691	164	30	15	13	82	440
Simla	...	1,534	56	1,590	264	796	467	1,527	63	31	13	14	...	...
Amritsar	136	3,477	114	3,727	1,084	1,885	1,042	3,511	216	30	23	29	349	954
Lahore	219	4,708	112	5,039	1,021	2,535	1,184	4,738	301	25	15	14	436	688
Total ... 1880	406	12,497	308	13,211	2,922	6,032	3,513	12,467	744	28	16	17	867	2,082
Total ... 1879	565	11,695	228	12,488	2,678	5,793	3,611	12,082	406	30	15	14	796	1,894

70. Institutions were more numerous than in 1879 by 804 or 7 per cent., but still fell short of the numbers for 1878. The Amritsar Court alone shows a falling-off (from 3,703 to 3,477, 6 per cent.). Suits tried in the ordinary Courts of the Amritsar District increased in an equal or greater proportion, and no report has been received from the Judge of the Small Cause Court from which any explanation as to the exceptional falling-off in his Court might be derived.

Institutions.

71. Of the total number for disposal, 94 per cent. were disposed of during the year, leaving 6 per cent. pending. The former percentage, which is slightly below that for 1879, is the same in all four Courts.

Disposals and details of disposal.

The cases were disposed of as under:—

	Percentage. 1880.	1879.
Dismissed on default	12	11
Otherwise disposed of, without decree	11	12
Decided *ex-parte*	16	16
Otherwise disposed of with decree but without contest ...	33	32
Decreed after contest in favour of plaintiff	21	22
Ditto ditto defendant	7	7

There is too little fluctuation in the above table to call for any comment. The percentage of contested cases has fallen from 33 in 1878 to 30 in 1879 to 28 in the year under report.

72. The average duration increased from 15 to 16 in contested and from 14 to 17 in uncontested cases; omitting Amritsar, in which the averages for contested and uncontested cases, respectively, were 23 and 29 days, the average for the other Courts would have been the same as in 1879. No report having been received from Amritsar, the Judges are unable to explain the anomaly of uncontested cases taking on the average a longer time for disposal than those which were contested. The figures for this one Court have affected the general averages in the same direction.

Average duration.

73. 744 cases were pending at the end of the year, as against 406 at its commencement. The Simla Court was not closed as hitherto in October, and elsewhere the increase appears to be due to large institutions in December.

Pending cases.

The oldest case was one in the Lahore Court, brought on 7th January 1880 and kept pending under the provisions of Section 99 A.

74. Suits by bankers and shopkeepers against agriculturists increased from 796 to 867, or 9 per cent., the increase in all kinds of cases being only 7 per cent. They were most numerous, in proportion to institutions, in Amritsar (10 per cent.) and Lahore (9 per cent.). In only 14 per cent. of cases decided did the defendant reside beyond municipal limits. In Amritsar, however, the percentage was almost double this (27).

Suits by bankers, &c., against agriculturists.

Witnesses.

75. The following table exhibits the attendance of witnesses in the different Courts, the totals of 1879 being added for comparison:—

Court.	Number of witnesses who appeared without summonses.	Number summoned whether they appeared or not.
Delhi	618	2,148
Simla	529	364
Amritsar	816	3,161
Lahore	1,461	4,634
Total ... 1880 ...	3,424	10,307
Total ... 1879 ...	4,469	13,41[illegible]

Retrials.

76. There were 321 applications for retrial, being 9 per cent. of contested cases decided during the year. Of these, 314 were disposed of in the following manner :—

	Percentage. 1880.	1879.
Struck off *in limine*	78	76
Former judgment maintained	11	16
Ditto reversed or modified	11	8

Execution of decrees.

77. The annexed statement shows the progress made in execution of decrees during the year :—

1	2	3	4	5	6	7	8	9	10	11	12	13
COURT.	Total number of applications for execution.	Completely executed.	Partially executed.	Struck off.	Transferred.	Total number disposed of.	Percentage of decrees completely executed to the number disposed of.	Average duration.	Value of money decrees put in execution.	Amount realized: Voluntarily.	Amount realized: After execution of coercive process.	Percentage realized.
Delhi	2,272	500	1,368	352	...	2,220	22	13	98,562	13,199	10,145	
Simla	1,033	207	207	595	2	1,011	20	9	46,069	3,052	7,581	
Amritsar	1,853	395	444	618	332	1,789	22	9	91,808	7,326	9,290	
Lahore	3,991	918	1,771	479	407	3,575	26	12	98,857	19,281	22,746	
Total ...	9,149	2,020	3,790	2,044	741	8,595	24	11	3,35,296	42,858	49,762	

Business statement of Cantonment Small Cause Courts.

78. The following statement shows the working of the Cantonment Courts of Small Causes :—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
COURT.	Number of Cases on the file: Pending from last year.	Instituted in 1880.	Re-admitted under Secs. 99 & 103 & 108 of Act X of 1877.	Received by transfer.	Total.	Disposed of without decree.	Decreed without contest.	Decreed with contest.	Grand total disposed of.	Pending at end of the year.	Percentage of contested cases.	Average duration of each case: Contested.	Average duration of each case: Uncontested.	General average duration.
Umballa ...	15	910	20	...	975	252	402	314	968	7	32	11	9	10
Jullundur ...	7	276	3	...	286	95	114	67	276	10	24	26	13	16
Siálkot ...	...	358	6	...	364	76	172	73	321	43	23	22	16	18
Mean Meer ...	18	788	...	...	806	154	433	207	794	12	26	12	4	6
Ferozepore ...	5	694	3	...	702	145	411	130	686	16	19	11	23	21
Rawalpindi ...	18	1,568	...	...	1,586	520	612	384	1,516	70	25	17	12	13
Mooltan ...	54	623	2	...	679	129	369	145	643	36	22	8	4	5
Peshâwar ...	7	348	13	...	368	148	93	111	352	16	31	13	13	12
Total ... 1880	124	5,595	47	...	5,766	1,519	2,606	1,431	5,556	210	26	15	11	12
Total ... 1879	152	6,647	53	..	6,852	1,480	3,756	1,492	6,728	124	22	18	11	15

The decrease was almost entirely in the Umballa, Ferozepore and Rawalpindi Courts. Mean Meer, Mooltan, Peshâwar and Siálkot showed a slight increase as compared with the previous year.

PART III.—APPELLATE COURTS.

Appeals in Divisional and District Courts.

79. The tabular statement below supplements the information regarding Civil Appellate business in Courts subordinate to the Chief Court. For the first time cases decided by full-powered officers, and therefore appealable in the first instance to Divisional Courts, have been shewn separately from cases appealable to District Courts.

District.	District Courts.					Divisional Courts.					Grand Total.	Percentage of first appeals to decisions appealable.
	Number of original cases appealable.	Appeals				Number of original cases appealable.	Number of appeals in District Courts modified or reversed	Appeals				
		To Assistant Commissioners	To Judicial Assistants.	To Deputy Commissioners.	Total to District Courts.			From Court of first instance.	From sub-appellate Courts.	Total to Divisional Courts.		
Delhi	1,122	...	245	55	300	192	80	81	28	109	409	29
Gurgaon	630	...	...	141	141	45	41	17	15	32	173	23
Karnál	762	..	104	41	145	114	45	78	21	99	244	25
Hissar	267	...	....	51	51	296	15	77	7	84	135	23
Rohtak	981	...	67	239	306	371	40	154	15	169	475	34
Sirsa	288	...	...	115	115	215	31	55	13	68	183	34
Umballa	2,835	54	392	...	446	419	90	143	47	190	636	18
Ludhiána	2,782	...	535	61	596	660	79	205	90	295	891	23
Simla	118	...	3	4	7	214	2	26	...	26	33	10
Jullundur	3,924	...	574	65	639	779	175	252	53	305	944	19
Hoshiárpur	5,317	...	1,038	24	1,062	891	195	258	67	325	1,387	21
Kángra...	2,430	11	383	...	394	286	102	22	36	58	452	15
Amritsar	3,508	...	622	...	622	600	169	250	67	317	939	21
Gurdáspur	3,782	...	320	28	348	648	75	92	28	120	468	10
Siálkot	5,215	...	470	86	556	689	142	146	44	190	746	12
Lahore	2,624	...	406	...	406	366	73	154	38	192	598	19
Gujránwála	2,414	...	471	...	471	336	164	99	39	138	609	21
Ferozepore	2,533	...	757	...	757	387	120	225	76	301	1,058	34
Rawalpindi	3,297	...	748	26	774	587	230	188	78	266	1,040	25
Jhelum	1,740	15	529	37	581	112	94	98	65	163	744	37
Gujrat	2,842	...	753	147	900	173	136	80	88	168	1,068	32
Shahpur	1,445	...	529	14	543	63	163	30	28	58	601	38
Mooltan	1,401	...	259	1	260	222	74	85	27	112	372	21
Jhang	1,063	...	...	248	248	207	51	64	24	88	336	25
Montgomery	994	...	...	103	103	143	16	71	8	79	182	15
Muzaffargarh	980	...	...	103	103	245	12	64	7	71	174	14
Dera Ismail Khan	1,477	...	197	3	200	195	30	47	17	64	264	15
Dera Ghází Khan ...	1,720	...	109	12	121	328	36	54	6	60	181	9
Bannu	1,417	24	...	205	229	289	46	39	15	54	283	15
Peshávar	1,651	...	334	1	335	356	54	108	22	130	465	22
Hazára	1,168	...	...	191	191	345	61	40	10	50	241	15
Kohát	313	...	...	45	45	178	28	19	2	21	66	13
Total ... 1880	63,040	104	9,845	2,046	11,995	10,951	2,669	3,321	1,081	4,402	16,397	21
Total ... 1879	60,387	129	7,698	1,973	9,800	10,519	2,199	2,529	1,019	3,548	13,348	17

80. From this it appears that while appealable cases have only increased by 3,089 or 4 per cent., appeals have increased by 3,049 or about 20. Altogether 21 per cent. of appealable cases were appealed as against 17 per cent. in 1879. The percentage in some districts was very high, as for instance, Shahpur 38 and Gujrat 37. In Dera Ghází Khan only 9 per cent. were appealed, and in Simla and Gurdáspur 10 each.

A.—DISTRICT COURTS.

Appeals for disposal.

81. The number of appeals for disposal in District Courts including cases pending from 1879, re-admitted and received by transfer, amounted to 13,143 or 2,279 more than in the previous year.

Appeals disposed of.

82. 90 per cent. of these were disposed of within the year, leaving 1,334 pending. The pending file has increased by 448 cases, although the actual disposals amounted to 1,831 more than in 1879. Deputy Commissioners disposed of 1,965 or 17 per cent. of the whole, the remaining 83 per cent. being disposed of by Judicial Assistants and Assistant Commissioners specially empowered. The percentages last year were 18 and 82.

In districts to which Judicial Assistants are permanently assigned, the Deputy Commissioner of Gujrat disposed of the largest number of appeals (145). The Deputy Commissioners of Delhi, Ludhiána, Jullundur and Siálkot, also relieved their Judicial Assistants by taking up a large number of appeals themselves. The following Deputy Commissioners disposed of no Civil Appeals: Umballa, Kángra, Amritsar, Lahore and Ferozepore, those of Mooltan, Dera Ismail Khan and Pesháwar disposed of one each.

Details of disposal.

83. The details of disposals for the two years are noted below—

	Percentage.	
	1880.	1879.
Transferred	*Nil.*	0·1
Withdrawn or struck off in default	5·3	6·4
Contested and confirmed	33·2	32·2
Confirmed *ex-parte*, *i.e.*, in the absence of respondent after notice ...	5·3	10·2
Confirmed under Section 551, C. P. Code	20·5	15·6
Modified	7·8	7·6
Reversed	15·8	16·0
Remanded under Section 562, C. P. Code	12·1	11·9

Orders were confirmed without contest in the same proportion as last year; but of these 5 per cent. more were treated under Section 551, that is, without summoning the respondent, and 5 per cent. less *ex-parte* after notice issued. This indicates better working on the part of the courts in scrutinizing appeals presented and, where possible, disposing of them without needlessly issuing notice to respondents. Orders confirmed after contest increased from 32 to 33 per cent., and appeals withdrawn or struck off in default were one per cent. fewer. The proportion of orders modified and reversed and cases remanded was much the same as in the previous year.

The percentage of reversals was highest in Kohát, Hissar and Sirsa, but was calculated on a comparatively small number of cases. It was also high in Gujránwála (27), in Rawalpindi (23), and in Kángra (21). In no district did it fall below 10 per cent. this year. This is the fourth Annual Report in which the high percentage of reversals in Gujránwála has been noticed. The figures for the four years have been 23, 26, 24 and 27. Remands were numerous in Montgomery, 21 per cent., in Amritsar 20, and in each of the Districts of Siálkot, Gujránwála, Gujrat, Dera Gházi Khan and Hazára, 18.

Average duration.

84. The average duration of appeals in District Courts has increased by two days from 29 to 31. It was highest, 88 days, in Bannu where the Deputy Commissioner's time is understood to have been occupied with pressing political and executive work. It was also high in Jhelum, 52 days, on account of change of officers and ill-health of the Judicial Assistant.

Hissar is the only district in which the average was below 11 days.

Appeals pending over 4 months.

85. The number of old appeals (pending over 4 months) has increased from 118 to 227. Of these Ludhiána supplies 90, Bannu 69 and Jhelum 42, leaving 26 for the other six districts in the returns of which alone such cases appear. The explanation in Ludhiána is the absence on leave of the Judicial

Assistant, and in Jhelum the same as that given in the last para. From Bannu in which also the oldest appeal, filed on 13th January 1879, was still pending, as already stated, no report has been received.

Value and cost of appeals in District Courts.

86. The value and relative cost of appeals in District Courts are shewn in the following table:—

Scale of valuation.	Appeals in suits other than for land.						Appeals in land suits.					
	Number of appeals.	Aggregate value of appeals.	Aggregate cost of appeals.	Average value of appeals.	Average cost of appeals.	Percentage of costs to value.	Number of appeals.	Aggregate value of appeals.	Aggregate cost of appeals.	Average value of appeals.	Average cost of appeals.	Percentage of costs to value.
Not exceeding Rs. 5	446	1,546	842	3 7 5	1 14 2	54	539	1,569	1,171	2 14 7	2 2 9	74
" " 20	2,179	30,394	6,489	13 15 2	2 16 7	21	961	11,636	3,030	12 1 9	3 2 5	26
" " 100	3,996	1,89,444	25,176	47 6 6	6 4 9	13	1,351	65,069	8,855	48 2 7	6 8 10	14
" " 500	1,288	2,40,008	24,945	186 5 5	19 5 6	10	308	59,126	5,841	191 4 2	18 12 2	10
Appeals of which the value cannot be fixed	199	...	2,482	...	12 8 4	...	291	...	2,766	...	9 8 1	...
TOTAL ...	8,108	4,61,392	59,934	58 5 5	7 6 3	12	3,450	1,37,400	21,663	43 7 11	6 4 5	14

The average value of appeals in suits other than for land, has increased by 4 rupees, and the percentage of costs to value has remained at Rs. 12 as before. In land suits, appeals in which have been 1,150 more numerous than in 1879 or exactly 50 per cent., the average value has gone down by nearly 3 rupees, and the percentage of costs has consequently increased from Rs. 12 to Rs. 14. The increase in appeals in land suits noted above is one of the most remarkable features of the year's returns.

B.—DIVISIONAL COURTS.

87. The following statement compares the number of institutions in Divisional Courts for 1879 and 1880, and also distinguishes between appeals from Courts of first instance and from Subordinate Appellate Courts. The number of appealable cases of each kind is also shewn as in the statement appended to para. 79.

Division.	1879.					1880.				
	Number of original cases appealable.	Number of appeals in District Courts modified or reversed.	Appeals			Number of original cases appealable.	Number of appeals in District Courts modified or reversed.	Appeals		
			From Courts of first instance.	From Subordinate Appellate Courts.	Total.			From Courts of first instance.	From Subordinate Appellate Courts.	Total.
Delhi	555	150	162	81	243	351	166	176	64	240
Hissar	966	112	256	67	323	882	86	286	35	321
Umballa	1,422	219	328	85	413	1,293	171	374	137	511
Jullundur	1,994	368	402	128	530	1,956	472	532	156	688
Amritsar	1,696	361	298	184	482	1,937	386	488	139	627
Lahore	771	308	329	169	498	1,089	357	478	153	631
Rawalpindi	769	364	315	144	459	935	623	396	259	655
Mooltan	620	102	136	57	193	817	153	284	66	350
Derajat	1.400	100	218	49	267	812	112	140	38	178
Peshâwar	326	115	85	55	140	879	143	167	34	201
Total ...	10,519	2,199	2,529	1,019	3,548	10,951	2,669	3,321	1,081	4,402

The increase it will be observed is almost entirely in appeals from Courts of first instance. Whereas cases of this kind appealable increased by only 4 per cent., appeals increased by more than 30 per cent., the increase in further appeals being only 6 per cent.

The increase in appealable cases is more than accounted for by the number disposed of by Deputy Commissioners and Judicial Assistants, who necessarily exercise full powers. The number of full-powered officers was not added to during the year.

The increase in appealable cases was 27 per cent. in those connected with land and only 7 in other descriptions of suits.

88. The following table gives further information, in detail, regarding appeals in Divisional Courts, and exhibits separately disposals by Additional Commissioners:—

Appellate work of Divisional Courts.

Division.	Number of appeals for disposal.	Number disposed of		Appeals withdrawn, transferred, or struck off for default.		Confirmed.		Modified.		Reversed.		Remanded under Sec. 562 Act X of 1877	
		By Commissioner.	By Additional Commissioner.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
Delhi ...	334	271	...	10	4	160	59	19	7	71	26	11	4
Hissar ...	345	299	...	17	6	182	61	25	8	57	19	18	6
Umballa ...	607	232	259	7	1	356	73	15	3	81	16	32	7
Jullundur ...	806	193	433	23	4	397	64	20	3	152	24	34	5
Amritsar ...	792	249	410	22	3	456	69	29	5	114	17	38	6
Lahore ...	740	180	285	11	2	324	70	36	8	68	14	26	6
Rawalpindi ...	742	556	36	17	3	361	61	40	7	165	28	9	1
Mooltan ...	373	294	...	20	7	140	48	39	13	65	22	30	10
Derajat ...	194	168	...	5	3	105	62	7	4	23	15	28	16
Peshâwar ...	204	...	187	5	3	117	63	12	6	19	10	34	18
Total ... 1880	5,137	2,442	1,610	137	3	2,598	64	242	6	815	20	260	7
Total ... 1879	4,207	2,265	1,276	168	5	2,213	63	153	4	750	21	227	7

There was thus an increase of 930 cases for disposal, as compared with 1879, and 140 as compared with 1878. Disposals fell off from 88 per cent. in 1878 to 84 in 1879, and to 79 in the year under report. The pending file has been increased by 420 cases above the opening balance.

Disposals by Additional Commissioners.

89. Additional Commissioners disposed of 1,610 cases, being 334 more than in the previous year and 40 per cent. of the total number.

The Additional Commissioner of Jullundur, who also takes cases from the Umballa and Amritsar Divisions, disposed of 758 cases, this being 133 more than in 1879.

Disposals by Commissioners.

90. The Commissioner of Rawalpindi disposed of 556 appeals, which is an increase of 134 upon the figures of 1879 and more than the aggregate disposed of by the three Commissioners of Jullundur, Lahore and Derajat, with an average duration of ten days below that of the Province. Relief was given to this officer by a re-arrangement of the jurisdictions of Additional Commissioners, which, however, only took effect at the end of the year.

Confirmations, reversals and remands.

91. Confirmations increased and reversals diminished by one per cent. The latter were most numerous, 28 per cent., in Rawalpindi, 26 per cent. in Delhi and 24 per cent. in Amritsar. They were fewest, 10 per cent., in Peshâwar, where, however, it is to be noticed thata large percentage of cases were remanded (18). Remands were also numerous, 16 per cent., or more than double the provincial average, in the Court of the Commissioner of the Derajat. In Peshâwar only one per cent. of cases were remanded in 1879.

Pending file.

92. Of the 1,085 cases pending at the end of the year, 462 were of more than two and 228 of more than four months' duration. All these figures are considerably in excess of the corresponding figures for 1879. Of the cases pending over 4 months, the Lahore Division contributed 149, or about two-thirds of the whole; the pending file of this division increased by 169 cases. Delhi and Amritsar are the only divisions in which the balauces have been slightly reduced.

Average duration.

93. The average duration of appeals in Divisional Courts has been reduced 13 days, from 70 to 57, which, taken with the decrease of 21 days in 1879, gives a total decrease of 34 days as compared with 1878. This cannot but be regarded as a most satisfactory feature in the year's returns. The average duration in the Court of the Commissioner of Delhi might have been lower than 112 days.

The oldest case was one filed on the 16th of February 1880, in the Court of the Commissioner of Lahore. It had to be frequently adjourned on account of the difficulty in procuring files from the Amritsar District.

Value and cost of Appeals.

94. The appended table gives the value and cost of appeals in Divisional Courts during the year. In suits other than for land the average value of the cases appealed, and the proportion of costs to value, have undergone no sensible alteration. In land suits, however, the average value has gone down from Rs. 239 to Rs. 137, and the percentage of costs has consequently increased.

Scale of Valuation.	Appeals in suits other than for land.						Appeals in land suits.						
	Number of appeals.	Aggregate value of appeals.	Aggregate cost of appeals.	Average value of appeals.	Average costs of appeals.	Percentage of costs to value.	Number of appeals.	Aggregate value of appeals.	Aggregate cost of appeals.	Average value of appeals.	Average cost of appeals.	Percentage of costs to value.
Not exceeding Rs. 5 ...	46	160	179	3 7 8	3 14 3	112	97	282	366	2 14 6	3 12 4	128
" " " 20 ...	201	2,654	935	13 3 3	4 10 5	35	212	2,441	1,000	11 8 2	4 11 6	41
" " " 100 ...	745	42,986	7,021	57 11 2	9 6 9	16	626	29,171	4,930	46 9 7	7 14 0	17
" " " 500 ...	679	1,70,321	17,628	250 13 5	25 15 5	10	424	86,074	9,651	203 0 1	22 12 2	11
" " " 1,000 ...	183	1,23,715	12,326	676 0 7	67 5 8	10	51	35,709	3,728	700 2 10	73 1 7	10
" " " 5,000 ...	114	2,18,889	18,802	1,920 1 3	164 14 10	8	26	43,297	3,800	1,665 4 3	146 2 6	9
" " " 10,000 ...	10	76,418	4,987	7,641 12 10	498 11 2	7	...	...	...	...	...	...
" " " 1,00,000 ...	4	87,608	895	21,902 0 0	223 12 0	1	...	...	...	...	...	...
Appeals of which the value cannot be fixed ...	375	...	6,002	...	16 0 1	...	257	...	3,689	...	14 5 8	...
TOTAL ...	2,357	7,22,751	68,775	364 10 6	29 2 10	8 6	1,693	1,96,974	27,164	137 2 8	16 0 8	11·8

The increasing degree in which land suits are fought out is conspicuous in all grades of Appellate Courts, and shows the increasing value that attaches to land in the Province.

C.—CHIEF COURT.

Appellate work of the Chief Court.

95. The subjoined comparative statement exhibits the Chief Court's Appellate work for 1879 and 1880 :—

	Year.	Number of appeals instituted.	Number of appeals for disposal.	Number disposed of.	Percentage of Appeals. Transferred.	Dismissed for default.	Rejected at preliminary hearing.	Confirmed after issue of notice to respondent.	Modified.	Reversed.	Remanded under Section 562, Act X of 1877.	Average duration.
Regular appeals ...	1879	349	583	362	1·4	3·0	26·8	37·3	4·7	19·9	6·9	216
	1880	494	715	341	0·9	3 2	31·7	30·2	9·4	19·3	5·3	194
Special appeals... ...	1879	1,252	1,606	1,136	1·2	1·4	60·9	15·6	1·3	5·7	13·9	106
	1880	1,692	2,162	1,431	0·7	1·6	62·3	15·0	0·9	4·8	14·7	101
Total ...	1879	1,601	2,189	1,498	1·3	1·8	52·6	20·9	2·1	9·1	12·2	132
	1880	2,186	2,877	1,772	0·7	1·9	56·4	17 9	2·6	7·6	12·9	119

Institutions.

96. There was a large increase of 585 cases, or more than a third, in the number of appeals instituted in 1880. The increase was proportional in regular and in special appeals.

Disposals.

97. Including remanets from 1879, there were 2,877 appeals for disposal as against 2,189 in that year. Although the disposals were more numerous by 274, the percentage fell from 68 to 61. and the pending file was increased by 414 cases rising from 691 to 1,105.

A larger percentage of appeals were rejected at a preliminary hearing than in 1879. One per cent. more of orders were confirmed, and one-and-a-half per cent. fewer reversed.

Average duration.

98. The average duration of appeals was reduced from 132 to 119 days. The reduction in regular appeals amounted to 22 and in special appeals to 5 days.

The oldest appeal pending at the end of the year was one instituted on 17th June 1878. It has been since decided.

Value and cost of appeals.

99. The value and cost of appeals, and the percentage of costs to value, will be seen from the annexed statement, the totals of 1879 being added for comparison.

Valuation of suits.		Appeals in suits other than for land.												Appeals in land suits.											
		Number of appeals.	Aggregate value of appeals.	Aggregate cost of appeals.	Average value of appeals.			Average cost of appeals.			Percentage of costs to value.	Number of appeals.	Aggregate value of appeals.	Aggregate cost of appeals.	Average value of appeals.			Average cost of appeals.			Percentage of costs to value
Not exceeding Rs.	5	23	58	104	2	8	4	4	8	4	179	78	198	520	2	8	7	6	10	8	263
Ditto "	20	49	793	335	16	2	11	6	13	4	42	175	2,018	1 227	11	8	6	7	0	2	61
Ditto "	100	160	8,969	1,529	56	0	10	9	8	11	17	387	19,626	4,439	50	11	5	11	7	6	23
Ditto "	500	170	43,501	4,599	255	14	2	27	0	10	11	186	4,782	4,520	25	11	4	24	4	3	94
Ditto "	1,000	42	28,056	2,606	668	0	0	62	0	9	9	20	10,298	1,139	514	14	4	56	15	2	11
Ditto "	5,000	35	57,406	6,702	1,640	2	8	191	7	9	12	8	13,753	1,303	1,719	2	0	162	14	0	9
Ditto "	10,000	6	39,664	2,796	6,610	10	8	466	0	0	7	...		...	...		.	...	.	.	...
Ditto "	1,00,000	3	61,025	3,686	20,341	10	8	1,228	10	8	6	1	16,000	1,123	16,000	0	0	1,123	0	0	7
Exceeding "	1,00,000	...	...		...		.	...	.		...	...	...	...	. .	...		. .	...	.	.
Appeals of wh'ch no value can be fixed		344	...	2,496	...			7	4	1	...	72	.	36	...	..	..	0	8	0	...
Total	1880	832	2,39,472	24,853	490	11	6	29	15	11	9	927	66,675	14,307	77	15	9	15	6	11	21
	1879	839	2,55,625	22,857	488	12	3	27	5	11	8	659	81,625	9,383	136	4	3	14	3	9	11

Applications for occupancy rights	...	72
" " declaratory decree	...	98
" " custody of wives	...	32
" " execution of decree	...	214
Total		416

Appeals in land suits, which were 38 per cent of the total in 1878 and went up to 44 per cent, in 1879, have risen further to 52 per cent in the year under report The average value of the land suits in which the appeal reached the Chief Court went down from 136 rupees to 77, leading to an increase in the percentage of costs from Rs 11 to Rs. 21 The increased proportion of land suits appealed has been already noticed in District and in Divisional Appellate Courts.

Miscellaneous cases.

100. The Chief Court also disposed of the following miscellaneous business :—

Cases under Section 622, Act X of 1877	318
„ referred for confirmation under Section 17, Act IV of 1869 ...	4
Applications for review, petitions for permission to appeal *in formâ pauperis*, and petitions for removal and transfer of suits and appeals, &c.	445
Cases referred under Section 617, Act X of 1877	16
Total ...	783

Since Section 622 of Act X of 1877 was amended by Act XII of 1879, so as to make illegality or material irregularity in the exercise of its jurisdiction by a Subordinate Court, ground for interference by the Chief Court, the cases under that Section require as much care and take up nearly as much time in their disposal as ordinary appeals.

IV.—PROCEDURE.

Circulars.

101. The most important Circulars issued during the year on the Civil Side related to the proper stamping of suits for declaratory decrees where consequential relief is prayed (Circular Memo. No. 17 of 1880), and to the means of attaining greater accuracy and precision in the framing of decrees, especially those regarding land or interests in land (Book Circular XV of 1880).

Rules.

102. In its administrative capacity the Court issued rules for the supply and use of paper of a standard pattern for Judicial petitions and copies of Judicial documents and for the prevention of fraud so far as items of account connected with law and justice are concerned.

Directions were also issued for the introduction and proper preparation of the new forms of returns required by the Government of India.

Supervision.

103. Divisional and District Officers continued to exercise a careful supervision over the working of the courts subordinate to them.

The inspection tours of the Judges of the Chief Court have been referred to in the Criminal Report.

I have the honor to be,

Sir,

Your most obedient servant,

R. CLARKE,

Offg. Registrar, Chief Court, Punjab.

IMPERIAL RETURNS.

IMPERIAL RETURN. **NO.**

STATEMENT SHOWING THE VARIOUS JUDICIAL TRIBUNALS,

LAST DAY OF

1	2	3	4	5	6	7	8
Class of Tribunals distinguishing those which exercise powers in one department from those exercising powers in two or three departments and those consisting of paid from unpaid Judges.	Number of Judicial Divisions.	Average area of each District in square miles.	Average population of each Division.	Number of tribunals.	Constitution of tribunals, stating number of Judges in each, and Jury or Assessors if any.	Judicial powers of each tribunal, original and appellate.	Prescribed qualifications of Judges previous to appointment.
Munsiffs exercising Civil powers only — Paid	10 Divisions containing 32 Districts, which are sub-divided into 125 Tahsils and include 12 Cantonment & District Small Cause Courts & 74 Munsiffs Courts	10,183 Square Miles.	1,761,150. According to the census of 1868.	74	1	Civil powers up to Rs. 300... ...	...
Local and Subordinate Magistrates of the 3rd class exercising Criminal powers only ... — Paid				...	...	Powers of a Magistrate of the 3rd class,	...
Local and Subordinate Magistrates of the 3rd class exercising Criminal powers only ... — Unpaid				11	1		...
Local and Subordinate Magistrates of the 3rd class exercising Civil and Criminal powers . — Paid				49	1	Powers of a Magistrate of the 3rd class and Civil powers up to Rs. 50 ...	...
Local and Subordinate Magistrates of the 3rd class exercising Civil and Criminal powers . — Unpaid				12	1		...
Local and Subordinate Magistrates of the 2nd class exercising Criminal powers only — Paid				6	1	Powers of a Magistrate of the 2nd class	...
Local and Subordinate Magistrates of the 2nd class exercising Criminal powers only — Unpaid				33	1		...
Local and Subordinate Magistrates of the 2nd class exercising Civil and Criminal powers ... — Paid				123	1	Powers of a Magistrate of the 2nd class and Civil powers up to Rs 300 or in the case of Assistant Commissioners, Extra Assistant Commissioners and Honorary Judges up to Rs. 500 ...	...
Local and Subordinate Magistrates of the 2nd class exercising Civil and Criminal powers ... — Unpaid				25	1		...
Small Cause Courts confined to their proper functions				4	1	Powers under Act XI of 1865 ...	...
Small Cause Courts exercising also Criminal powers				9	1	Powers under Act XII of 1864. Act XI of 1865 and Magisterial powers under the Code of Criminal Procedure .	...
Municipal Benches ...(Unpaid)...				25	4	Magisterial powers	...
Magistrates of 1st class exercising Criminal powers only ...(Unpaid)...				1	1	Powers of a Magistrate of the 1st class	...
Magistrates of 1st class exercising Civil & Criminal powers other than Magistrates of Districts ... — Paid ...				112	1	Powers of a Magistrate of the 1st class and Civil powers up to Rs. 10,000. Judicial Asstts. & Extra Judicial Asstts have power to hear original Civil suits of any value and also to hear Criminal Appeals from 2nd and 3rd class Magistrates and Civil Appeals from Tahsildárs and Naib-Tahsildárs and Assistant Commissioners and Extra Assistant Commissioners with special and ordinary powers	...
Magistrates of 1st class exercising Civil & Criminal powers other than Magistrates of Districts ... — Unpaid ...				8	1		...
Magistrates of Districts exercising also Civil powers				32	1	Powers of a Magistrate of the 1st class and power to hear Criminal Appeals from Magistrates of the 2nd and 3rd class and on the Civil side power to hear original suits of any value and Appeals from Tahsildárs and Assistant Commissioners and Extra Assistant Commissioners with special and ordinary powers. These Officers also exercise special powers under Section 36, Civil Procedure Code ...	...
Sessions Courts exercising also Civil powers				14	1, aided by 3 assessors	Powers of a Sessions Judge on the Civil side These Officers have no ordinary original Civil Jurisdiction; they hear Appeals from Assistant Commissioners and Extra Assistant Commissioners with full powers and Deputy Commissioners	...
Chief Court				1	3, aided by a Jury of 9 men in original Criminal Trials ...	Powers described in Chapter III of the Punjab Courts Act, 1877 ...	...
TOTAL .				539			

1.

ORIGINAL AND APPELLATE, EXISTING IN THE PUNJAB ON THE THE YEAR 1880.

9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Total number of Judges.				Average annual salary of each paid Judge.							Number of cases decided during the year.			
European.														
Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	European.	Native.	Total cost of tribunals.	Net receipts from stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial Work.	Average number of advocates attached to each tribunal.	Criminal.	Civil.	Revenue.	Appeal.
...	...	...	74					No executive functions ...	The entire year, Sundays and Gazetted holidays excepted.	17 Advocates, 129 Pleaders and 120 Mukhtars are practising in the Province.	66	149,805	623	...
...	...	...	...					Superintendent of Jails; Canal, Customs, & Forest Dept. Officers ...			...	...	...	...
...	2	1	13					Honorary Magistrates ...			817	...	...	...
4	...	2	43					Tahsildárs, Naib-Tahsildárs Asst. Comrs. & Extra Asst. Commissioners ...			6,680	11,703	5,886	...
1	...	...	11					Honorary Magistrates ...			274	1,270	...	...
1	1	1	3					Canal, Customs, and Forest Department Officers ...			176	...	...	...
3	2	11	17					Honorary Magistrates ...			1,579	...	...	...
8	1	2	120					Tahsildárs, Assistant Commissioners and Extra Assistant Commissioners			25,468	33,276	132,828	...
...	...	...	25					Honorary Magistrates ...			2,093	7,024	111	...
...	1	2	...					...			...	12,467	...	...
								...						
...	6	3	...								3,568	5,556	...	...
...	...	...	90					City Magistrates ...			9,254	...	...	...
1	...	...	...					Honorary Magistrates ...			11	...	...	...
26	5	15	67	Rs. 17,788	Rs. 2,994	Rs. 21,07,208	Rs. 21,76,534	Asst. Commissioners, Extra Assistant Commissioners; Judicial Assistants and Extra Judicial Assistants			30,358	38,765	44,245	10,264
...	...	...	8					Honorary Magistrates ...			1,451	3,903	428	...
20	10	2	...					Deputy Commissioners ...			3,418	106	75,693	3,749
6	8	...	...					Comrs. and Superintendents of Revenue ...			354	...	142	7,201
2	...	1	...					No Executive Functions ...			3	2	...	2,385
67	36	40	471								85,570	263,877	259,956	23,599

IMPERIAL RETURN. NO.

STATEMENT SHEWING THE NUMBER AND DESCRIPTION OF

PUNJAB DURING

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	Suits for money.										Rent suits not being suits under the Punjab Tenancy Act.					
	On written obligation.															
Class of Court.	Registered.	Unregistered.	On unwritten obligation.	On account stated.	For money had and received.	For goods sold and delivered.	For breach of contract not included in the foregoing.	For rent other than of land.	For recovery of moveable property or value thereof.	For damages.	Suits to recover arrears of rent from tenants without right of occupancy.	Suits to recover arrears of rent from tenants with right of occupancy.	Suits regarding illegal exaction, duress, distraint or demand.	Suits regarding accounts, &c. by or against agents, &c.	Suits not included in cols. 12 to 16, not being suits under the Punjab Tenancy Act.	Suits to resume or assess land held exempt from revenue or rent.
Cantonment Small Cause Courts ...	65	952	1,938	1,604	2	485	186	247	29	5	...	...	..	...	...	...
District Small Cause Courts	112	5,090	1,913	1,656	183	1,878	591	550	160	26	...	...	...	...	...	...
Honorary Courts ...	235	4,194	2,809	2,078	42	136	128	59	764	107	147	33	6	...	...	5
Munsiffs' Courts ...	2,738	61,441	27,394	27,140	878	3,546	532	1,745	8,825	832	885	221	45	21	...	318
Tahsildárs and Naib-Tahsildárs' Courts ...	577	6,711	4,758	4,488	78	506	284	352	2,423	282	3,188	679	22	...	2	141
Asst. and Extra Assistant Commissioners' Courts...	1,647	10,879	4,674	5,716	266	683	599	470	2,114	403	621	218	50	5	7	54
Judicial Assistants' Courts	424	929	264	760	9	34	73	42	170	47	59	21	...	...	...	7
Depy. Commr.'s Courts ...	8	11	4	11	...	...	...	2	...	1	...	...	...	...	...	...
Chief Court ...	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...
Total ...	5,806	90,207	43,745	43,453	1,458	7,268	2,393	3,467	14,485	1,705	4,900	1,172	123	26	9	525

No.

Class of Court.	36	37	38	39	40	41	42	43	44	45
			Suits for a declaratory decree to establish or contest							
	Suits to recover possession of immoveable property under Sec. 9 of the Specific Relief Act.	Suits to compel specific performance of contracts.	Validity of adoption.	Validity of wills.	Validity of acts of Hindu widows.	Correctness of an entry in a record of right under Section 20 of Act XXXIII of 1871.	Other rights affecting immoveable property not expressly provided for.	Other personal rights not expressly provided for.	Suits for or relating to partition.	Suits regarding the relative rights and status of superior and inferior holders of land.
Cantonment Small Cause Courts ...	..	...	...	...	...	...	...	...	...	...
District Small Cause Courts	...	...	...	...	...	...	...	...	...	...
Honorary Courts ...	90	31	...	...	...	...	18	...	7	8
Munsiffs' Courts ...	524	92	3	2	4	46	179	34	188	99
Tahsildárs and Náib-Tahsildárs' Courts ...	361	40	3	1	4	80	167	72	60	207
Asst. and Extra Assistant Commissioners' Courts...	453	114	50	15	25	235	381	100	91	39
Judicial Assistants' Courts	66	27	21	5	6	53	96	35	30	7
Depy. Commrs.' Courts...	1	...	...	...	...	...	1	7	2	...
Chief Court ...	...	...	...	...	...	...	...	...	...	...
Total ...	1,495	304	77	23	39	414	842	248	378	360

6.

ORIGINAL CIVIL SUITS DISPOSED OF IN THE DISTRICTS OF THE THE YEAR 1880.

18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35
SUITS UNDER THE PUNJAB TENANCY ACT.												*Suits for possession or recovery of immoveable property founded on*					
Suits under Section 5 by tenants for right of occupancy.	Suits to establish right of occupancy under Sec. 8 on other grounds than those mentioned in the previous Sections of the Act.	Suits under Sec. 6 by landlords for rebuttal of presumptive right of occupancy.	Suits under Secs. 10 and 11 for enhancement of rent.	Suits under Sec. 14 for abatement.	Suits for arrears of rent where remission is allowed under Section 15.	Suits under Sec. 18 to set aside an award of division and appraisement of produce taken for rent.	Suits under Clause 1 of Sec. 19 by landlords for ejectment of tenants with right of occupancy.	Suits under Clause 2 of Section 19 by landlords for ejectment of tenants with right of occupancy.	Suits under Section 20 by landlords for ejectment of tenants without right of occupancy.	Suits under Sec 25 by tenants to contest notice of ejectment.	Suits under Sec. 26 by tenants on account of illegal ejectment.	Contract.	Inheritance.	Gift.	Right of pre-emption.	River action.	Other cause.
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...
14	4	...	16	...	6	...	16	...	5	1	18	99	299	1	38	...	141
49	27	3	182	...	...	17	3	...	58	49	43	891	1,042	34	371	14	2,099
182	119	58	367	6	...	...	22	14	121	192	107	1,025	1,374	19	557	15	1,911
216	227	39	224	41	4	1	18	33	75	201	51	1,856	1,864	101	1,085	34	1,444
43	29	7	20	6	4	...	2	1	13	55	1	316	209	27	228	9	181
1	...	...	...	...	...	...	...	...	...	...	...	...	5	1	8	...	5
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
505	406	107	809	53	14	18	61	48	272	498	220	4,187	4,793	183	2,287	72	5,781

6—*concluded.*

46	47	48	49	50	51	52	53	54	55	56	57
					Suits relating to betrothals, marriage, divorce and dower.						
Suits to settle partnership and other accounts not being accounts for rent.	Suits to set aside or rectify any instrument, contract, order, award or judgment.	Suits relating to administration of trusts and religious endowments.	Suits to compel or prevent particular acts by way of injunction.	Suits relating to the revenue.	Suits connected with betrothals.	Suits for enforcement of matrimonial rights.	Suits for dissolution of marriage.	Suits connected with dower.	Suits relating to religion and caste.	Any suits not included in the foregoing columns.	TOTAL.
...	...	...	...	...	...	...	...	...	...	...	5,513
...	...	...	...	...	...	...	...	...	...	...	12,159
4	10	2	...	100	102	16	1	10	...	78	11,369
25	175	11	12	805	801	22	2	398	2	151	145,018
45	59	1	13	2,492	204	54	13	61	...	325	34,842
108	193	20	30	415	555	1,421	23	135	4	149	40,478
82	71	3	1	38	229	288	4	32	...	27	5,111
3	2	...	...	...	1	11	2	...	...	13	100
...	...	...	...	...	...	...	2	...	...	...	2
267	510	37	56	3,850	1,892	1,812	47	636	6	743	255,092

IMPERIAL RETURN.

NO. 7.

STATEMENT SHOWING THE VALUE OF SUITS DISPOSED OF IN THE CIVIL COURTS OF THE PUNJAB, DURING THE YEAR 1880.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20		
VALUE OF SUITS.	NUMBER OF SUITS DISPOSED OF IN DIFFERENT COURTS.																			Total value of suits.	
	Honorary Courts.		Cantonment Small Cause Courts.		District Small Cause Courts.		Munsiffs' Courts.		Tahsil Courts.		Assistant and Extra' Assistant Commissioners' Courts.		Judicial Assistants' Courts.		Deputy Commissioners' Courts.		Chief Court.	Total.			
	Land.	Other.	Land.	Other.	Land.	Other.	Land.	Other.	Land.	Other.	Land.	Other.	Land.	Other.	Land.	Other.	Other.	Land.	Other.	Land.	Other.
Not exceeding Rs. 5	120	1,269	...	1,129	...	1,425	1,023	15,351	2,666	3,510	994	2,248	56	91	1	1	...	4,860	25,024	16,158	94,226
Do. „ 20	220	4,403	...	2,271	...	4,747	1,864	51,312	3,756	9,517	1,912	8,492	138	451	1	3	...	7,891	81,196	104,454	979,087
Do. „ 100	274	4,622	...	1,708	...	4,619	1,860	60,063	3,397	9,442	3,200	12,108	316	984	3	3	...	9,050	93,549	435,083	4,049,115
Do. „ 500	105	766	...	405	...	1,368	458	12,895	562	1,667	1,649	6,023	416	859	5	9	...	3,195	23,992	588,919	4,352,083
Do. „ 1,000	14	12	...	...	...	...	...	...	...	...	191	841	82	593	2	7	...	289	1,453	209,429	999,069
Do. „ 5,000	...	...	...	...	...	...	...	...	...	...	67	245	45	336	4	14	...	116	595	208,235	1,101,048
Do. „ 10,000	...	...	...	...	...	...	...	...	...	...	3	5	2	34	...	1	...	5	40	35,920	249,021
Do. „ 1,00,000	...	...	...	...	...	...	...	...	...	...	...	...	3	18	1	6	...	4	24	76,165	631,423
Exceeding ... 1,00,000	...	...	...	...	...	...	...	...	...	...	...	...	...	2	1	...	...	1	2	415,025	340,000
Suits of which the value cannot be fixed.	53	11	...	...	...	...	115	77	227	98	629	1,871	177	508	3	35	2	1,204	2 602	...	...
TOTAL ...	786	11,083	...	5,513	...	12,159	5,320	139.698	10,608	24,234	8,645	31,833	1,235	3,876	21	79	2	26,615	228,477	2,089,388	12,795,072

IMPERIAL RETURN. NO. 8.

STATEMENT SHOWING THE GENERAL RESULT OF THE TRIAL OF CIVIL SUITS IN THE COURTS OF ORIGINAL JURISDICTION IN THE PUNJAB DURING THE YEAR 1880.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
	Number of cases on the File.				Disposed of without Decree.				Decree passed												Average duration of suits.	
									Without contest.				With contest.									
Class of Courts.	Suits remaining from last year.	Filed in 1880.	Re-admitted and received by transfer.	Total for disposal.	Transferred.	Dismissed for default.	Withdrawn with leave.	Adjusted by mutual agreement.	Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	Judgment for Plaintiff in whole or part.	Judgment for defendant.	Total disposed of.	Number of cases referred to arbitration.	Pending.	Pending over two months.	Pending over four months.	Plaints rejected or returned.	Contested.	Uncontested.
Small Cause Courts ...	530	18,092	355	18,977	...	2,465	201	1,775	2,434	3,234	2,889	81	3,729	1,215	18,023	206	954	24	22	140	15	14
Honorary Courts ...	686	11,640	441	12,767	1	2,382	82	1,394	1,067	2,634	990	33	2,680	937	12,200	214	567	45	2	44	30	20
Munsiffs' Courts ...	8,520	144,890	5,223	158,633	5	26,149	1,069	20,114	20,287	27,380	12,817	676	30,642	10,666	149,805	1,661	8,828	269	11	1,868	25	17
Tahsíldárs' and Náib Tahsíldárs' Courts ...	1,598	34,867	1,419	37,884	5	6,016	596	5,118	3,163	5,830	2,394	232	8,997	3,865	36,216	770	1,668	166	31	753	28	18
Asst. and Extra Asst. Commissioners' Courts ...	2,925	41,384	1,758	46,067	4	8,262	768	3,912	3,175	5,701	2,943	267	11,327	5,817	42,176	800	3,891	533	147	2,239	36	24
Judicial Assistants' Courts	526	5,031	282	5,819	3	682	107	436	297	672	300	17	1,815	1,020	5,349	174	470	84	69	684	50	36
Deputy Commissioners' Courts ...	11	109	6	126	2	15	4	14	8	5	6	...	31	21	106	2	20	4	2	14	82	30
Chief Court ...	1	2	...	3	...	...	...	...	1	...	...	...	1	...	2	...	1	...	...	...	235	9
Total ...	14,797	256,015	9,464	280,276	20	45,971	2,827	32,763	30,432	45,456	22,339	1,306	59,222	23,541	263,877	3,827	19,399	1,125	284	5,742	30	19

IMPERIAL RETURN. No. 9.

STATEMENT SHOWING THE BUSINESS OF THE CIVIL APPELLATE COURTS OF THE PUNJAB DURING THE YEAR 1880.

1	2	3	4	5	6	7	8		9	10	11	12	13	14	15	16	17	18	19	20	21
	For disposal.				DISPOSED OF.																
							Heard *ex-parte*.				Contested.										
							Confirmed.														
Class of Courts.	Remaining from last year.	Instituted in 1880.	Re-admitted and received by transfer.	Total.	Transferred to other districts.	Dismissed for default, or under Section 557 of Act X of 1877.	Under Sec. 551 of Act X of 1877.	In absence of Respondent.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded.	Total.	Pending at end of year.	Pending over two months.	Pending over four months.	Average duration.	Objections under Section 561, Act X of 1877.	Objections allowed.
Assistant Commissioners' Courts ...	33	104	3	140	...	11	6	11	...	2	70	18	14	8	140	...	...	...	91	...	...
Judicial Assistants' Courts ...	724	9,845	230	10,799	...	525	1,786	542	38	60	3,315	746	1,452	1,240	9,704	1,095	220	157	31	31	26
Deputy Commissioners' Courts ...	129	2,046	29	2,204	...	94	624	74	8	12	529	113	326	185	1,965	239	53	70	25	...	...
Total ...	886	11,995	262	13,143	...	630	2,416	627	46	74	3,914	877	1,792	1,433	11,809	1,334	273	227	30	31	26
Commissioners' Courts ...	665	4,402	70	5,137	3	134	430	89	2	17	2,079	240	798	260	4,052	1,085	462	228	57	5	2
Chief Court ... Regular ...	221	494	...	715	3	11	...	108	...	...	103	32	66	18	341	374	35	283	194	1	...
Chief Court ... Special ...	470	1,692	...	2,162	10	23	...	892	...	...	215	12	69	210	1,431	731	161	442	101	1	...
Total ...	1,356	6,588	70	8,014	16	168	430	1,089	2	17	2,397	284	933	488	5,824	2,190	658	953	76	7	2
Grand Total ...	2,242	18,583	332	21,157	16	798	2,846	1,716	48	91	6,311	1,161	2,725	1,921	17,633	3,524	931	1,180	45	38	28

IMPERIAL RETURN.

No. 10.

STATEMENT SHOWING THE EXECUTION OF THE DECREES OF THE CIVIL COURTS OF THE PUNJAB DURING THE YEAR 1880.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Class of Courts.	Applications to execute Decrees.										Nature and number of coercive processes issued.					
												Movable property.		Immovable property.		
	Pending.	Filed in 1880.	Received by transfer.	Total.	Decrees completely executed.	Decrees partially executed.	Applications wholly infructuous.	Transferred.	Total disposed of.	Pending.	Arrest of person.	Attached.	Sold.	Attached.	Sold.	Orders under Sec. 305, or 326, of Act X of 1877.
Small Cause Courts ...	446	11,695	26	12,167	2,774	4,565	3,350	750	11,439	728	1,720	4,562	344	...	...	43
Honorary Courts ...	695	4,628	7	5,330	2,308	1,369	1,176	21	4,874	546	138	3,491	870	368	162	13
Munsiffs' Courts ...	13,099	87,583	173	100,855	30,371	28,338	30,991	178	89,878	10,977	5,711	65,445	15,428	5,792	2,378	293
Tahsíldárs' and Náib-Tahsíldárs' Courts ...	2,061	18,205	90	20,356	8,158	4,809	5,583	71	18,621	1,735	859	10,705	2,154	945	177	22
Assistant and Extra Assistant Commissioners' Courts ...	4,745	26,141	606	31,492	9,759	7,789	9,534	259	27,341	4,151	2,190	14,931	3,859	3,426	1,314	111
Judicial Assistants' Courts ...	398	2,502	31	2,931	866	730	680	31	2,307	624	153	1,299	316	200	49	4
Deputy Commissioners' Courts ...	2	16	3	21	6	4	9	1	20	1	1	5	2	1	1	...
Total ...	21,446	150,770	936	173,152				1,311	154,480	18,672	10,772	100,438	22,973	10,732	4,081	486

Proceedings of the Hon'ble the Lieutenant-Governor of the Punjab, in the Home Department,--No. 3140, dated 27th August 1881.

READ—

Annual Report on the Administration of Civil Justice for the year 1880.

REMARKS.—There has again been an increase in the number of suits instituted, which in the past year reached a higher figure than has been known hitherto. The increase took place in District and Small Cause Courts equally. The fluctuations have spread capriciously over the whole province, with large local variations which it is difficult to trace to any definite cause, from an increase of 48 per cent. in Hazara to a decrease of 18 per cent. in Simla. In Hazara the increase is, no doubt, correctly attributed to the return of abundance and prosperity after a partial famine and scarcity of food; and in Kohat to a large influx of additional population when this cantonment became the base of military operations in the Kurram Valley. In rich thickly-populated districts like Hoshiarpur there is a natural tendency to an increase in civil suits which requires no special explanation.

2. The number of suits for disposal was 280,276, of which 94·1 per cent., or 263,877, were disposed of,—a result which His Honor considers satisfactory. Of these 30 per cent. were contested, and the remainder disposed of either without decree, or with decree but without contest.

The three districts of the Frontier Division of Peshawar and the great trading centre of Amritsar are those in which there was the largest percentage of contested cases.

Dismissals in default amounted to 17 per cent.,—the same proportion as was found last year. Applications for re-admission were readily granted in four-fifths of these cases.

Ex parte decrees have fallen to 9 per cent.

Kohat is remarkable as showing the largest number of rejected applications for restoration of suits dismissed in default, and the largest proportion of *ex parte* decrees.

Reference to arbitration was most frequently resorted to in Bannu and Hazara. Among the bigoted population of these districts a suitor finds it difficult to resist a demand by his opponent for settlement according to "shariat;" and cases so disposed of are probably shown as referred to arbitration in the statements received from these districts.

3. Throughout the whole province only 7 per cent. of cases remaining at the end of the year had been pending for more than two months, but in the Bannu district the cases of more than two months' duration were as many as 30 per cent. The Lieutenant-Governor regrets that no report has been received this year from the Bannu district. The Deputy Commissioner had doubtless exceptionally heavy work in connection with the expedition against the Mahsud Wazirs, but should have completed his report on the Administration of Civil Justice for the year preceding before that expedition began to occupy his attention.

There has been a considerable decrease in applications for the collection of debts or successions under Act XXVII. of 1860, due to a more rigid attention to the provisions of the law regarding claims by representatives of deceased persons.

Applications for the custody of the persons and estates of minors and applications for foreclosure and redemption of mortgages under Regulation XVII. of 1806 have again largely increased; while petitions for declarations of insolvency are less frequent. The increase of cases under Regulation XVII. of 1806 is not to be regretted, as this Regulation affords the mortgagor every facility to redeem.

There is a satisfactory falling-off in the number of suits *in formâ pauperis*.

Suits relating to betrothal, marriage, dower and divorce have risen largely, especially in the Rawalpindi Division. No explanation is afforded by the Commissioner of the extraordinary increase in the Rawalpindi district; nor has that officer noticed the great increase in the number of suits of all descriptions.

Suits by bankers or shopkeepers against agriculturists have fallen off 3 per cent., and there were fewer instituted in the year under report than in any year since 1876. On the other hand, it is to be regretted that suits of this nature in Small Cause Courts rose by 9 per cent., chiefly in Amritsar and Lahore.

4. Of the whole number of cases tried, 56·8 per cent., about the same proportion as in the year before, were disposed of by Munsiffs.

The Lieutenant-Governor observes with pleasure that the civil work made over to Tahsildars was generally well within the limit prescribed, and he trusts that this rule will continue to be carefully observed. The large number of cases disposed of by the Tahsildar of Murree may be due to the fact that a Munsiff is only posted at that station during the summer season. Honorary Civil Judges disposed of 12,200 cases, or 4·6 per cent. of the total litigation of the province. Although the aggregate amount of work done by this agency is less than in the preceding year, the average for each judge sitting is higher. Since the close of the year His Honor has heard with regret of the death of Raja Surat Singh Majithia, C.S.I., and of Sardar Jhanda Singh, two Honorary Magistrates of distinguished loyalty and public spirit, whose loss will be felt in the administration of the districts in which they resided.

5. The proportion of decrees wholly executed has fallen off from 37 to 35 per cent., being, as before, highest in the frontier districts.

Twenty-nine per cent. of the total value of money decrees put in execution was realized; of this 16 per cent. was paid in voluntarily, 7 per cent. recovered by arrest and imprisonment, and 76 per cent. by attachment of moveable or immoveable property. Opinions differ widely regarding the advantage of appointing one officer at the head-quarters to dispose of all executions of decrees; but the experiment should be continued until some certain conclusion regarding the method can be formed.

6. The excessive duration of cases in the Small Cause Court of Amritsar is not creditable to the officer presiding in that court, who has, moreover, submitted no report for the past year.

7. The total number of appealable cases increased by 4 per cent., while the appeals instituted rose by 20 per cent. In district courts 90 per cent. of the appeals for disposal were disposed of within the year; while in divisional courts the disposals were 79 per cent. only. His Honor notices with satisfaction that the statistics of appeals disposed of after summoning the respondent and *ex parte* show that more care is taken in scrutinizing petitions of appeal and, where possible, in disposing of them without needlessly summoning the respondent.

In the absence of detailed district returns it is difficult to assign any reason for the remarkable increase in appeals in suits relating to land, which have risen 50 per cent. in district and 27 per cent. in divisional courts.

The average duration in district courts was 88 days: in Bannu it rose to 88.

In divisional courts the average duration fell to 57 days, being a decrease of 21 days compared with 1879, and 34 days as compared with 1878. In Delhi the average was as high as 112 days. The Commissioner of Rawalpindi disposed of more appellate work than all three Commissioners of the Jullundur, Lahore and Derajat divisions, with an average duration of 10 days less than that of the whole province. An arrangement has been made during the year for increasing the area of jurisdiction of the Additional

Commissioners, the head-quarters of the Additional Commissioner of Amritsar having been transferred to Lahore. The primary object of this change was to relieve the Commissioner, Rawalpindi, of a portion of his appellate work. The general conclusion which His Honor has derived from the present report is that the higher appellate agency in the province, including the Chief Court, requires to be strengthened.

In the Chief Court 585 more appeals were instituted than in the previous year. Including the pending file, there were 2,787 appeals for disposal; and, although more cases were decided, the percentage of disposals fell from 68 to 61, while the pending file rose from 691 to 1,105. The Lieutenant-Governor observes that the work of the Chief Court has become much heavier than it was, and there is apparently no prospect of its diminishing. Arrears have accumulated in consequence of the yearly increase in appeals instituted. His Honor has recently addressed the Government of India on the necessity of strengthening the Chief Court bench to enable it to cope with its continually increasing work, and as a temporary measure the appointment of a fourth Judge has been sanctioned for six months beginning with the close of the vacation. In conclusion, the Lieutenant-Governor wishes to convey to the Judges of the Chief Court his acknowledgments of the careful and efficient manner in which they have supervised and guided the working of the subordinate courts of this province.

ORDER.—Ordered that a copy of the above review be furnished to the Registrar of the Chief Court, for the information of the Judges and for circulation with the Report.

Also that the remarks be published in the *Punjab Government Gazette.*

By order of the Hon'ble the Lieutenant-Governor,

W. M. YOUNG,

Secretary to Government, Punjab.

Printed at the Punjab Government Civil Secretariat Press, Lahore.—5-9-91.—310.